



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY
साप्ताहिक
WEEKLY

सं. 20] नई दिल्ली, मई 20—मई 26, 2018, शनिवार/वैशाख 30—ज्येष्ठ 5, 1940
No. 20] NEW DELHI, MAY 20—MAY 26, 2018, SATURDAY/VAISAKHA 30—JYAISTHA 5, 1940

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

विदेश मंत्रालय
(सी.पी.वी. प्रभाग)

नई दिल्ली, 10 मई, 2018

का.आ. 794.—राजनयिक और कौंसुलीय अधिकारी (शपथ एवं फीस) के अधिनियम, 1948 (1948 का 41) की धारा 2 के खंड (क) के अनुसरण में वैधानिक आदेश। एतद्वारा, केंद्र सरकार भारत के प्रधान कौंसलावास, जेद्दाह में श्री राज कुमार, सहायक अनुभाग अधिकारी को दिनांक 10 मई, 2018 से सहायक कौंसुलर अधिकारी के तौर पर कौंसुलर सेवाओं के निर्वहन के लिए प्राधिकृत करती है।

[सं. टी-4330/01/2015]

प्रकाश चन्द, निदेशक (कौंसुलर)

MINISTRY OF EXTERNAL AFFAIRS
(C.P.V. DIVISION)

New Delhi, the 10th May, 2018

S.O. 794.—Statutory Order in pursuance of clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby appoints Shri Raj Kumar, Assistant Section

Officer as Assistant Consular Officer in Consulate General of India, Jeddah to perform the Consular services with effect from 10th May, 2018.

[No. T-4330/01/2015]

PRAKASH CHAND, Director (Consular)

अंतरिक्ष विभाग

बेंगलूर, 4 मई, 2018

का.आ. 795.—केंद्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में एतद्वारा अंतरिक्ष विभाग के निम्नलिखित कार्यालय, जिसके 80 प्रतिशत से अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है :-

क्षेत्रीय सुदूर संवेदन केंद्र - दक्षिण (आर.आर.एस.सी.-द.),
आईसाईट परिसर,
बेंगलूर-560037

[सं. 8/1/10/2011-हिं]

टी. कृष्णकुमार, अवर सचिव

DEPARTMENT OF SPACE

Bangalore, the 4th May, 2018

S.O. 795.—In pursuance of Sub-rule (4) of Rule 10 of the Official Language (Use for Official Purpose of the Union) Rules, 1976, the Central Government hereby notifies the following Office of the Department of Space, whereof more than 80 per cent staff have acquired the working knowledge of Hindi :

Regional Remote Sensing Centre – South (RRSC-S),
ISITE Campus,
Bangalore-560037

[No. 8/1/10/2011- H]

T. KRISHNAKUMAR, Under Secy.

सांख्यिकी और कार्यक्रम कार्यान्वयन मंत्रालय

नई दिल्ली, 18 मई, 2018

का.आ. 796.—केंद्र सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 (यथासंशोधित 1987) के नियम 10 के उपनियम (4) के अनुसरण में, केंद्र सरकार एतद्वारा सांख्यिकी और कार्यक्रम कार्यान्वयन मंत्रालय के अधीन क्षेत्र संकार्य प्रभाग, राष्ट्रीय प्रतिदर्श सर्वेक्षण कार्यालय के क्षेत्रीय कार्यालय, तिरुवनंतपुरम के निम्नलिखित उप क्षेत्रीय कार्यालयों को भारत के राजपत्र में अधिसूचित करती है, जिनके 80 प्रतिशत से अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है :-

1. उप क्षेत्रीय कार्यालय, कोच्ची
2. उप क्षेत्रीय कार्यालय, कोल्लम

[सं. ई-11013/6/2016-हिंदी]

अंजन कुमार मिश्रा, निदेशक

MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION

New Delhi, the 18th May, 2018

S.O. 796.—In pursuance of Sub-rule (4) of Rule 10 of the Official Language (Use for Official Purpose of the Union) Rules, 1976 (as amended 1987), the Central Government hereby notifies the following offices of Regional Office, Thiruvananthapuram of Field Operation Division, NSSO of Ministry of Statistics and Programme Implementation in the Gazette of India, where more than 80 per cent of staff have acquired the working knowledge of Hindi :

1. Sub-Regional Office, Kochi
2. Sub-Regional Office, Kollam

[No. E-11013/6/2016-Hindi]

ANJAN KUMAR MISHRA, Director

कृषि एवं किसान कल्याण मंत्रालय

(कृषि, सहकारिता एवं किसान कल्याण विभाग)

नई दिल्ली, 18 मई, 2018

का.आ. 797.—केन्द्र सरकार एतद्वारा बहुराज्य सहकारी समितियां अधिनियम, 2002 (2002 का 39) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का उपयोग करते हुए दिनांक 20 मई, 2018 से 10 जून, 2018 तक डॉ. आशीष कुमार भुटानी, संयुक्त सचिव (सहकारिता) की अवकाश अवधि के दौरान केन्द्रीय पंजीयक सहकारी समितियों के कार्यभार की देखरेख के लिए श्री दिनेश कुमार, संयुक्त सचिव (एमआईडीएच) को कृषि एवं किसान कल्याण मंत्रालय, कृषि, सहकारिता एवं किसान कल्याण विभाग में नियुक्त करती है।

[सं. एल-11012/2/2003-एल एंड एम]

सुशील कुमार झा, अवर सचिव

MINISTRY OF AGRICULTURE AND FARMERS WELFARE

(Department of Agriculture, Co-operation and Farmers Welfare)

New Delhi, the 18th May, 2018

S.O. 797.—In exercise of the powers conferred vide sub-section (1) of Section 4 of the Multi-State Co-operative Societies Act, 2002 (39 of 2002), the Central Government hereby appoints Shri Dinesh Kumar, Joint Secretary (MIDH) in the Ministry of Agriculture and Farmers Welfare, Department of Agriculture, Co-operation and Farmers Welfare to look after the work of Central Registrar of Co-operative Societies during the leave period of Dr. Ashish Kumar Bhutani, Joint Secretary (Co-operation) w.e.f. 20th May, 2018 to 10th June, 2018.

[No. L-11012/2/2003-L&M]

SUSHIL KUMAR JHA, Under Secy.

पोत परिवहन मंत्रालय

नई दिल्ली, 21 मई, 2018

विषय : (क) एक्सिम यानांतरण कंटेनरों एवं (ख) खाली कंटेनरों के तटीय संचलन के लिए वाणिज्यिक नौवहन अधिनियम, 1958 की धारा 406 के अंतर्गत रियायत।

का.आ. 798.—

1. जबकि वाणिज्यिक पोत परिवहन अधिनियम को 1958 में उस समय अधिनियमित किया गया था जब कंटेनर कार्गो शुरुआती चरण में था (कंटेनरों के लिए आईएसओ मानक 1956 में निर्धारित किए गए थे)। भारत में कंटेनर पोत परिवहन वर्ष 1980 में

- ही शुरू हुआ और इस प्रकार भारत में यह अधिनियम कंटेनर व्यवसाय से पहले लागू हुआ। इस अधिनियम के लागू होने के समय कार्गो का यानांतरण उतना महत्वपूर्ण मुद्दा नहीं था, दरअसल अधिनियम में ऐसी संभावना की परिकल्पना भी नहीं की गई थी।
2. जबकि कंटेनरों के माध्यम से कार्गो संचलन सतत रूप से बढ़ रहा है और वर्तमान में यह भारत के कुल एक्सिम व्यापार की मात्रा के रूप में 20% से अधिक है तथा गतिशील अंतर्राष्ट्रीय व्यापार के ऐसे परिदृश्य में जहां अंतर्राष्ट्रीय पोत परिवहन शुल्क बहुत प्रतिस्पर्धात्मक हैं, बेहतर आर्थिक स्थिति (इकॉनोमीज़ ऑफ़ स्केल) हासिल करने के लिए कंटेनर व्यापार का प्वाइंट-टू-प्वाइंट से हब-एण्ड-स्पोक मॉडल तक तीव्रता से विकास हुआ है। इस प्रकार कंटेनरों को छोटे पत्तनों से फीडर जलयानों के माध्यम से यानांतरण पत्तन पर एकत्रित किया जाता है, जहां उन्हें यानांतरण या मैनलाइन पत्तन भेजने के लिए बड़े कंटेनर लाइनरों पर लादा जाता है। ऐसा मॉडल भारत में पूरी तरह विकसित नहीं हुआ है और इसके परिणामस्वरूप लगभग 33% भारतीय कंटेनर कार्गो विदेशी पत्तनों पर ही यानांतरित होता है। वर्ष-दर-वर्ष यानांतरण की मात्रा बढ़ती जा रही है और वर्ष 2007-08 के 26% से बढ़ कर वर्ष 2016-17 में यह 33% हो गया है (भारतीय पत्तन एसोसिएशन)।
 3. जबकि कंटेनर पोत परिवहन के लिए व्यापार मॉडल, हब एण्ड स्पोक मॉडल पर दृढ़ता से स्थिर हुआ है और इसके कारण विश्वभर में यानांतरण हबों का निर्माण हुआ है।
 4. जबकि पोत परिवहन और कंटेनर संभलाई तकनीक में तरक्की होने से आधार-जलयानों के रूप में लगाए जाने वाले जलयानों के आकार (18,000 टीईयू से अधिक) में दिन ब दिन वृद्धि हो रही है और अधिक गहराई के डुबाव वाले यानांतरण पत्तन विकसित किए जा रहे हैं।
 5. जबकि समूचे विश्व में, वर्तमान में, स्थापित यानांतरण पत्तन भविष्य में यानांतरण पत्तनों के रूप में अपनी उत्कृष्टता को बनाए रखने के लिए आधुनिक पत्तनों के रूप में अपने विकास के लिए अधिक से अधिक निवेश कर रहे हैं।
 6. जबकि भारत में क्षेत्रीय हब पत्तनों के साथ प्रतिस्पर्धा करने के लिए नीतिगत ढांचों और लागत लाभों के साथ बड़े, आधुनिक, अंतर्राष्ट्रीय, यानांतरण पत्तनों/हबों का सुदृढ़ इको-सिस्टम विकसित किया जाना अभी भी बाकी है।
 7. जबकि विदेशी यानांतरण पत्तनों में भारतीय कार्गो का यानांतरण होने पर विदेशी पत्तनों पर यातायात में वृद्धि होती है, और इससे अन्य देशों में रोज़गार सृजित होते हैं, पत्तन और लॉजिस्टिक प्रभागों के रूप में भारतीय शिपरो/परेषितियों या निर्यातकों/आयातकों से होने वाले राजस्व में हानि होती है एवं विदेशी पत्तनों द्वारा भारतीय निर्यातकों/आयातकों से यानांतरण राजस्व एवं प्रभागों की वसूली किए जाने के कारण विदेशी मुद्रा की भी हानि होती है।
 8. जबकि भारत में यानांतरण पत्तनों को बढ़ावा देने से (क) पोत परिवहन लाइनों के बीच प्रतिस्पर्धा बढ़ेगी और समान अवसरों के कारण फ्रैट दरों में कमी आएगी जिससे भारतीय व्यापार और अधिक प्रतिस्पर्धात्मक बनेगा। (ख) भारतीय पत्तनों बनाम विदेशी पत्तनों में समय एवं दूरी कुशल लॉजिस्टिक्स से भी फीडरिंग लागत में कमी आएगी। (ग) भारतीय कंटेनर कार्गो को विदेशी पत्तनों से भारतीय पत्तनों में अंतरित करने से पत्तनों के लाभ एवं रोज़गार में और अधिक वृद्धि होगी। (घ) यानांतरण इको-सिस्टम (पत्तन एवं लॉजिस्टिक्स सेक्टर, लघु एवं मध्यम उद्यमों, पत्तनों और पोत परिवहन क्षेत्र के सेवा प्रदाताओं को सक्षम बनाने सहित) की स्थापना होने से भारतीय पत्तन विदेशी पत्तनों से आने वाले और वहां तक जाने वाले कार्गो को संभवतः अपनी तरफ आकर्षित कर सकते हैं, जिससे भारतीय महापत्तनों की कार्गो मात्रा में और अधिक वृद्धि होगी तथा (ड.) विदेशी मुद्रा को भारत में रखने में सफलता मिलेगी।
 9. जबकि विदेशी पत्तन में सप्लाई लाइन लैग टाइम तथा यानांतरण से एक्सिम व्यापार की लागत में भारी वृद्धि होती है जिससे वैश्विक बाज़ार में भारतीय व्यापारियों और विनिर्माताओं की प्रतिस्पर्धात्मकता पर प्रतिकूल प्रभाव पड़ता है।
 10. जबकि भारतीय पत्तनों और भारतीय यानांतरण पत्तनों के बीच समुद्र के माध्यम से एक्सिम कंटेनरों के यातायात को प्रोत्साहित करने के लिए फीडर क्षमता को बढ़ाने की आवश्यकता है।
 11. जबकि भारत में यानांतरण पत्तनों को विकसित करने के लिए भारत में कंटेनरों के यानांतरण तथा फीडरों के लिए कंटेनर जलयानों की पहुंच की सुगमता, समयबद्ध सेवाओं की विश्वसनीयता और उपलब्धता एक पूर्वापेक्षा है।
 12. जबकि दुर्तरफा कार्गो संचलन की व्यवस्था करने से परिवहन की लागत में कमी आने, कार्गो की मात्रा में वृद्धि होने और नौवहन वेडों में निवेश सुकर बनने की संभावना है।
 13. जबकि समुद्री परिवहन में रेल तथा सड़क मार्ग से परिवहन की तुलना में माल के परिवहन के प्रति टन-कि.मी. लागत में कमी लाने के साथ ही लंबी दूरी तक माल के परिवहन से होने वाले ग्रीनहाउस गैस उत्सर्जनों को प्रति टन-कि.मी. एक तिहाई तक कम करने की क्षमता है।
 14. जबकि वाणिज्यिक पोत परिवहन अधिनियम, 1958 की धारा 406 के अनुसार भारतीय नागरिक या भारत में निगमीकृत किसी कंपनी या भारत में पंजीकृत किसी सहकारी-सोसाइटी द्वारा चार्टर किए गए किसी भारतीय पोत या किसी अन्य पोत को इस धारा के तहत नौवहन महानिदेशक द्वारा प्रदत्त लाइसेंस के बिना भारत में या भारत के बाहर के किसी पत्तन या स्थान से समुद्र में ले जाने की अनुमति नहीं प्रदान की गई है।

15. जबकि कंटेनरों के यानांतरण के व्यवसाय मॉडलों से डील करने के लिए, कई देशों ने अंतर्राष्ट्रीय व्यापार की मात्रा बढ़ाने और परिवहन लागत को कम करने के लिए अपने घरेलू कानून (कानूनों) में रियायत देकर विदेशी ध्वज वाले जलयानों को अपने तटीय इलाकों में कार्गो के यानांतरण की अनुमति देने के लिए कदम उठाए हैं।
16. जबकि भारत के एक्सिम व्यापार में कंटेनरीकृत कार्गो के क्रमशः बढ़ती हिस्सेदारी और किसी विशेष पत्तन से होने वाले आयात और निर्यात में असंतुलन के कारण कुछ पत्तनों पर खाली कंटेनरों और कुछ अन्य पत्तनों पर, उचित आकार और प्रकार के रूप में, कंटेनरों की कमी की समस्या निरंतर बनी रहती है। इस प्रकार खाली कंटेनरों की रिइम्पोजिशनिंग के लिए लागत में पर्याप्त बढ़ोतरी के बिना भारतीय तट पर एक पत्तन से दूसरे पत्तन तक सही आकार और प्रकार के खाली कंटेनरों के संचलन की आवश्यकता है।
17. जबकि निरंतर बनी हुई समान प्रकार की मांग के कारण बेड़ों में पर्याप्त रूप से निवेश नहीं हो पाता और इसके परिणामस्वरूप भारतीय तट पर खाली कंटेनरों की रिइम्पोजिशनिंग के लिए लागत में बढ़ोतरी के बिना एक पत्तन से दूसरे पत्तन तक खाली कंटेनरों की संचालन की आवश्यकता पड़ती है।
18. जबकि 11 मई, 2018 की अधिसूचना सं. 38/2018 –कस्टम्स (एन.टी.) के अनुसार केंद्रीय अप्रत्यक्ष कर एवं सीमाशुल्क बोर्ड ने आयातित माल, निर्यात माल, तटीय माल एवं विदेश में ट्रांजिट या यानांतरण के लिए प्रेषित माल के वहन के लिए प्राधिकृत समुद्री वाहकों को इस शर्त पर अनुमति प्रदान की है कि उनके द्वारा उचित अधिकारी को समेकित प्रस्थान एवं आगमन मैनिफेस्ट इलैक्ट्रॉनिक रूप से भेजा गया हो।
19. जबकि मौजूदा विनियामक संरचना के अनुसार नौवहन महानिदेशक द्वारा वाणिज्यिक पोत परिवहन अधिनियम, 1958 की धारा 406 के तहत जारी किए गए लाइसेंस के अधीन ही भारतीय नागरिक या भारत में निगमीकृत किसी कंपनी या भारत में पंजीकृत किसी सहकारी-सोसाइटी द्वारा चार्टर किया गया कोई विदेशी पोत भारत के किसी एक स्थान या पत्तन से खाली कंटेनर को लाद सकता है या भरे हुए कंटेनरों को भारत के अन्य स्थान पर पहुंचा सकता है।
20. जबकि भारतीय पत्तनों को प्रमुख यानांतरण हबों के रूप में उपयोग करने हेतु अंतिम लक्ष्य स्थान तक यानांतरण कंटेनरों के परिवहन के लिए सुविधा प्रदान करने की आवश्यकता है।
21. जबकि, निर्दिष्ट पंजीकरण पत्तनों पर पोतों के पंजीकरण के आधार पर भारतीय पोत धारा 406 के तहत लाइसेंस के लिए अनुमोदित माने गए हैं और इनको यानांतरण की अनुमति प्रदान की गई है।
22. जबकि भारतीय नागरिक या भारत में निगमीकृत किसी कंपनी या भारत में पंजीकृत किसी सहकारी-सोसाइटी द्वारा चार्टर किए गए किसी अन्य पोत को भारत के अंदर या बाहर किसी पत्तन या स्थान से समुद्र तक ले जाने के लिए धारा 406 के तहत लाइसेंस प्रदान किए जाने की आवश्यकता है।
23. जबकि, भारत में व्यापार को प्रोत्साहित करना और व्यापार करने को सुकर बनाना भारत सरकार द्वारा बल दिए जाने वाले प्रमुख क्षेत्रों में से एक है, और कार्गो की शिपिंग और जलयानों के प्रचालन की प्रक्रिया को सरल बनाने की आवश्यकता है।
24. जबकि उपर्युक्त तथ्यों को ध्यान में रखते हुए विदेशी पत्तनों के माध्यम से भारतीय एक्सिम कंटेनरों के यानांतरण को कम/समाप्त करने के लिए तथा खाली कंटेनरों की रिपोजिशनिंग की लागत में कमी लाने के लिए जनहित और राष्ट्रहित में प्रभावी नीतिगत उपायों को लागू करने की आवश्यकता है।
25. अतः, वर्तमान में केंद्र सरकार वाणिज्यिक पोत परिवहन अधिनियम, 1958 की धारा 406 उप-धारा (1) के तहत प्रदत्त शक्तियों का प्रयोग करते हुए निम्नानुसार निदेश देती है:
- 25.1 भारत में तटीय व्यापार में लगे हुए निम्नलिखित श्रेणी के पोतों पर धारा 406 की उप-धारा(1) के प्रावधान लागू नहीं होंगे :
 - क. भारतीय नागरिक या भारत में निगमीकृत किसी कंपनी अथवा भारत में पंजीकृत किसी सहकारी-सोसाइटी द्वारा चार्टर किए गए पोत जो यानांतरण के लिए लदे हुए एक्सिम कंटेनरों के परिवहन हेतु प्रवृत्त अधिनियम की धारा 21 के खंड (ख) में नियत अपेक्षाओं को पूरा करते हों।
 - ख. भारतीय नागरिक या भारत में निगमीकृत किसी कंपनी या भारत में पंजीकृत किसी सहकारी-सोसाइटी द्वारा चार्टर किए गए पोत जो भारत के किसी पत्तन से भारत के किसी अन्य पत्तन तक खाली कंटेनरों के परिवहन के लिए प्रवृत्त अधिनियम की धारा 21 के खण्ड (ख) में नियत अपेक्षाओं को पूरा करते हों।
- 25.2 पैरा 25.1 (क) पर पोतों को दी गई ये रियायतें निम्नलिखित के लिए उपलब्ध होंगी:
 - क. लदे हुए कंटेनरों को भारत के पत्तन में यानांतरण के उद्देश्य से भारत के बाहर स्थित किसी पत्तन से या वहां तक के लिए एकल लदान बिल पर पारेषित किया गया हो; और
 - ख. लदे हुए कंटेनर पर भारत के किसी पत्तन पर केवल यानांतरण के लिए माल लादा या उतारा गया हो; और
 - ग. लदा हुआ कंटेनर यानांतरण के लिए आगमन मैनिफेस्ट या प्रस्थान मैनिफेस्ट, जैसा भी मामला हो, के तहत कवर किया गया हो।

- 25.3 चार्टर को चार्ट किए गए जलयान के संबंध में नौवहन महानिदेशालय को सूचना प्रदान करनी होगी। सूचना प्रदान के लिए निर्धारित फॉर्मेट **अनुबंध-1** में दिया गया है और यह सूचना जलयान को चार्ट करने से 24 घंटे के भीतर sd2-dgs@nic.in ई-मेल से नौवहन महानिदेशालय को प्रदान करनी होगी। निर्धारित फॉर्मेट पर शिपिंग लाइन अथवा प्रचालक के प्राधिकृत हस्ताक्षर कर्ता द्वारा डिजिटल या अन्य प्रकार से हस्ताक्षरित होना चाहिए।
- 25.4 भारतीय नौसेना, तट रक्षक, राज्य समुद्री पुलिस और सीमाशुल्क के साथ-साथ भारतीय कानून प्रवर्तन एजेंसियों को उक्त पोतों/कू के वास्तविक परिचय पत्रों की पुष्टि करने के लिए किसी भी समय समुद्र में इन पोतों पर बोर्ड करने की अनुमति दी जाए।
26. यह अधिसूचना तत्काल प्रभाव से लागू होगी और यह संशोधित या वापस लिए जाने तक वैध रहेगी।

[फा. सं. एसडब्ल्यू-15011/2/2016-एमजी]

पवनेश कुमार शर्मा, अवर सचिव

अनुबंध-1**नौवहन महानिदेशालय को चार्टड जलयान की सूचना प्रदान करने के लिए फॉर्मेट**

(i)	चार्टर का नाम	
(ii)	आईएमओ सं. सहित पोत का नाम	
(iii)	पोत का ध्वज	
(iv)	चार्टर करने की अवधि	

टिप्पणी : जलयान को चार्टर करने के 24 घंटे के भीतर नौवहन महानिदेशालय को sd2-dgs@nic.in पर ईमेल से भेजे गए ऐसे दस्तावेज शिपिंग लाइन अथवा प्रचालक के प्राधिकृत हस्ताक्षरकर्ता द्वारा डिजिटल या अन्य प्रकार से हस्ताक्षरित होने चाहिए।

MINISTRY OF SHIPPING

New Delhi, the 21st May, 2018

Subject : Relaxation under Section 406 of the Merchant Shipping Act, 1958, for coastal movement of (a) EXIM Transhipment Containers and (b) Empty Containers

S.O. 798.—

- Whereas the Merchant Shipping Act was enacted in 1958 at a time when container cargo was in a nascent stage (ISO standards for containers were fixed in 1956). In India, container shipping started only in the year 1980 and thus the Act predates the business of containers in India. Transhipment of cargo was not a major issue at the time of enactment, in fact the Act did not envisage such an eventuality.
- Whereas the movement of cargo by containers has been rising continuously and is presently more than 20% of India's total EXIM trade volumes, and whereas in a dynamic international business situation where international shipping tariff is highly competitive, in order to achieve better economies of scale, container business has rapidly evolved from point-to-point to hub-and-spoke model. Thus the containers from smaller ports are shipped via feeder vessels and then aggregated at a transhipment port from where they are loaded in a bigger container liner for another transhipment or mainline port. Such a model has not fully evolved in India and this has resulted in almost 33% of Indian container cargo getting transhipped at foreign ports. The extent of transhipment is increasing year on year and has increased from 26% in 2007-08 to 33% in 2016-17 (Indian Ports Association).
- Whereas the business model for container shipping has firmly stabilized for the hub and spoke model and has resulted in the formation of transhipment hubs worldwide.

4. Whereas the advancement in shipping and container handling technology is leading to the deployment of ever increasing size of vessels (in excess of 18,000 TEUs) as mother vessels and development of deeper draft transshipment ports.
5. Whereas the currently established transshipment ports across the globe are investing further in developing themselves as modern ports of the future to retain their pre-eminence as transshipment ports.
6. Whereas India is yet to develop a robust eco-system of large, modern international transshipment ports/hubs with policy structures and cost advantages to compete with regional hub ports.
7. Whereas transshipment of Indian cargo at foreign transshipment ports leads to traffic growth at foreign ports and hence, job creation in other countries, loss of revenue from Indian shippers/ consignees or exporters/importers to foreign ports in terms of port and logistics charges, and loss of foreign exchange to foreign ports as the transshipment revenues and charges are collected from Indian exporters/importers by foreign ports.
8. Whereas promoting transshipment ports in India would lead to (a) higher competition amongst shipping lines and a level playing field would reduce freight rates making Indian trade more competitive (b) time and distance efficient logistics between Indian ports versus foreign ports would also contribute to lowering in feeder cost (c) shifting of Indian container cargo from foreign ports to Indian ports would lead to higher port profitability and employment (d) upon establishment of transshipment ecosystem including ports and logistics sector, enabling small and medium enterprises, service providers to the ports and the shipping sector, Indian ports can potentially attract cargo originating from and destined to foreign ports, adding to further cargo growth at major Indian ports and (e) retention of foreign exchange in India.
9. Whereas the supply chain lag time and transshipment at a foreign port increases cost to the EXIM trade adversely impacting the competitiveness of Indian traders and manufacturers in the global market.
10. Whereas there is a requirement to enhance feeder capacity to support movement of EXIM containers by sea between Indian ports and the Indian transshipment ports.
11. Whereas availability, time-bound port operations and ease of access to container vessels for feeders and transshipment of containers within India is a prerequisite for development of transshipment ports in India.
12. Whereas providing for two-way cargo movement has the potential of reducing the cost of transport, improving cargo volumes and facilitating investment in shipping fleet.
13. Whereas sea borne transportation has the potential of simultaneously reducing the per tonne-km cost of transporting goods as well as reducing the greenhouse gas emission per tonne-km of transporting the goods over long distances by one-third, compared to rail and road based transportation.
14. Whereas as per Section 406 of Merchant Shipping Act, 1958, no Indian ship and no other ship chartered by a citizen of India or a company incorporated in India or a co-operative society registered in India shall be taken to sea from a port or place within or outside India except under a license granted by the Director General, Shipping under this section.
15. Whereas to deal with the business model of transshipment of containers, various countries have taken steps to allow vessels from foreign flags to trade on their coastal water for transshipment cargoes by relaxing provisions of their domestic law(s) to boost international trade volume and reduce transportation cost.
16. Whereas, due to the gradual increase in the share of containerized cargo and imbalance in the imports and exports from a particular port, there is a perennial problem of empty containers accumulating at some ports and shortage of containers at others, in terms of size and type. Thus, there is a requirement of movement of empty containers, of the apt size and type, from one port to another along the Indian coast without adding substantially to the cost of repositioning of the empty containers.
17. Whereas persistence of unidirectional demand leads to insufficient investment in the fleet and, as a result, there is a requirement of movement of empty containers from one port to another along the Indian coast, without adding substantially to the cost for repositioning of the empty containers.
18. Whereas as per Notification No. 38 / 2018 - Customs (N.T.) dated 11th May 2018, the Central Board of Indirect Taxes and Customs has allowed authorized sea carriers for carrying imported goods, export goods, coastal goods or goods meant for foreign transit or foreign transshipment subject to delivery of an integrated departure and arrival manifest to the proper officer electronically.

19. Whereas as per existing regulatory framework a foreign ship chartered by a citizen of India or a company incorporated in India or a registered society registered in India can load an empty or laden container from one place or port in India and discharge at other place or port in India, only under a license issued by the Director General of Shipping under Section 406 of the Merchant Shipping Act, 1958.
20. Whereas transportation of the transshipment of containers up to the final destination needs to be facilitated to make Indian ports as major transshipment hubs.
21. Whereas Indian ships by virtue of the registration of ships at designated ports of registry are deemed approved for license under Section 406, and have transshipment allowance.
22. Whereas other ships which may be chartered by citizens of India or a company incorporated in India or a corporate society registered in India still require to be granted license under Section 406 to be taken to sea from a port or place within or outside India.
23. Whereas promotion of trade and ease of doing business in India is one of the major thrust areas of the Government of India, and there is a need to simplify processes for shipping of cargo and operation of vessels.
24. Whereas considering the above facts, it is necessary to put in place effective policy measures in public and national interest to reduce/eliminate transshipment of Indian EXIM container/empty cargo through foreign ports and reduce the cost for repositioning of the empty containers.
25. Now, therefore, the Central Government, in exercise of the powers conferred under sub-section (1) of Section 406 of the Merchant Shipping Act, 1958, directs as under:
 - 25.1 The provisions of sub-section (1) of Section 406 shall not apply to the following category of ships, which may be engaged for the coasting trade of India:
 - a. Ships chartered by citizen of India or a company incorporated in India or a cooperative society registered in India which satisfies the requirements specified in clause (b) of section 21 in the Act engaged, for transportation of EXIM laden containers for transshipment; and
 - b. Ships chartered by citizen of India or a company incorporated in India or a cooperative society registered in India which satisfies the requirements specified in clause (b) of section 21 in the Act engaged for transportation of empty containers from one port of India to another port of India.
 - 25.2 This relaxation for ships at Para 25.1 (a) shall be available for:
 - a. the laden container consigned on a through Bill of Lading to or from a port outside India for the purposes of transshipment at an Indian port;
 - b. the laden container loaded or unloaded at a port in India for transshipment only; and
 - c. the laden container covered by the arrival manifest or departure manifest, as the case may be, for transshipment.
 - 25.3 The Charterer shall submit information of the chartered vessel to Directorate General of Shipping. The prescribed format for submitting the information is provided in Annexure I and must be shared with Directorate General of Shipping by e-mail at sd2-dgs@nic.in within 24 hours of the charter of the vessel. The prescribed format should be either digitally signed or otherwise signed by an authorized signatory of either the shipping line or the operator.
 - 25.4 Indian law enforcement agencies including inter alia Indian Navy, Coast Guard, State Maritime Police and Customs, shall be allowed to board such ships any time in the sea for ascertaining the bonafide credentials of the said ships/crew.
26. This notification shall come into force with immediate effect, and continue to be valid till it is amended or withdrawn.

[F. No. SW-15011/2/2016-MG]

P. K. SHARMA, Under Secy.

ANNEXURE 1**Format for information of chartered vessel to be shared with Director General of Shipping**

(i)	Name of the charterer	
(ii)	Name of ship with IMO No.	
(iii)	Flag of the ship	
(iv)	Period of charter	

Note : the document so shared with Directorate General of Shipping by e-mail at sd2-dgs@nic.in within 24 hours of the charter of the vessel should be either digitally signed or otherwise signed by an authorised signatory of either the shipping line or the operator.

नई दिल्ली, 22 मई, 2018

विषय : कृषि, बागवानी, मत्स्यपालन तथा पशुपालन संबंधी सामानों के तटीय संचलन हेतु वाणिज्यिक पोत परिवहन अधिनियम 1958 की धारा 406 के अंतर्गत रियायत।

का.आ. 799.—

- जबकि, कृषकों की आय को बढ़ाने हेतु, कृषकों की विक्रय को और अधिक बढ़ाने संबंधी आवश्यकता है, जहां विक्रय मात्रा में वांछित वृद्धि, सुगम पहुंच के साथ देश को एक बाजार के रूप में खोलने के साथ ही, उत्पाद के एक बड़े हिस्से को बाजारों तक पहुंचाने में सक्षम बना कर तथा सुदृढ़ करने से हासिल की जा सकती है।
- जबकि, सरकार की घोषित मंशा है कि कृषकों के लिए पूर्व निर्धारित स्थानों पर पहुंच के साथ कृषि व्यापार के सुगमीकरण और संरक्षण देने की मानसिकता को बाजार पारिस्थितिकी तंत्र का विस्तार करने, प्रतिभागियों की एक विस्तृत श्रृंखला को शामिल करने तथा कृषकों को सुदूर स्थानों तक पहुंच हेतु सशक्त बनाने वाली मानसिकता में परिवर्तित करने की आवश्यकता है।
- जबकि, पहले वह विपणन प्रणाली प्रभावकारी समझी जाती थी, जो खेतों की निकटतम सीमा के अंदर ही बाजार और लेनदेन उपलब्ध कराती थी, अब इन मापदंडों में बाजारों में परस्पर जुड़ाव एवं खेतों व उपभोक्ताओं के बीच वैल्यू डिस्पर्सन को शामिल करने की आवश्यकता है।
- जबकि, घरेलू खपत और निर्यात बाजारों की आवश्यकताओं को कुशलतापूर्वक पूरा करने के लिए खराब होने वाले उत्पादों के भंडारण व परिवहन में कृषकों एवं रसद प्रदाताओं को सक्षम बनाने में परिवहन संपर्कता तथा रसद बुनियादी ढांचे की आवश्यकता होती है।
- जबकि, जल परिवहन में रेल तथा सड़क मार्ग से परिवहन की तुलना में माल के परिवहन के प्रति टन-किमी लागत में छठवें भाग तक की कमी लाने के साथ ही साथ लंबी दूरी तक माल के परिवहन से होने वाले ग्रीनहाउस गैस उत्सर्जन के प्रति टन-किमी को एक तिहाई तक कम करने की क्षमता है।
- जबकि, सागरमाला कार्यक्रम की राष्ट्रीय परिप्रेक्ष्य योजना में खाद्यानों और संसाधित खाद्य के तटीय संचलन के लिए 9 मिलियन टन प्रतिवर्ष की क्षमता का अनुमान किया गया है।
- जबकि, तटीय पोत परिवहन सहित, जल परिवहन के साधन तुलनात्मक रूप से परिवहन को सस्ते साधन होने के कारण कृषकों को लाभप्रद रूप से व्यापक बाजार तक पहुंचने में सक्षम करेगा, विक्रय योग्य माल की रेंज को बढ़ाएगा एवं घरेलू व्यापार के दायरे को बढ़ाया जा सकेगा।
- जबकि, निरंतर बनी हुई एक समान मांग के कारण बेड़ों में पर्याप्त निवेश नहीं हो पाता और इसके परिणामस्वरूप भारतीय पत्तनों को विश्वसनीय और समयबद्ध सेवाएं प्रदान करने के लिए तटीय जलयानों की अपर्याप्त उपलब्धता होती है।
- जबकि, दुतरफा कार्गो संचलन की व्यवस्था करने से परिवहन की लागत में कमी आने, कार्गो की मात्रा में वृद्धि होने और नौवहन बेड़ों में निवेश आसान होने की संभावना है।
- जबकि, वाणिज्यिक पोत परिवहन अधिनियम, 1958 की धारा 406 के अनुसार उपर्युक्त अधिनियम की धारा 21 के खण्ड (ख) में निर्दिष्ट अपेक्षाओं को पूरा करने वाले किसी भारतीय नागरिक या भारत में निगमीकृत किसी भी कंपनी या भारत में पंजीकृत

किसी सहकारी-सोसाइटी द्वारा चार्टर किए गए किसी भारतीय पोत या किसी अन्य पोत को इस धारा के तहत महानिदेशक द्वारा जारी किए गए लाइसेंस के बिना भारत के अंदर या बाहर के किसी स्थान या पत्तन से समुद्र तक नहीं ले जाया जाएगा।

11. जबकि, निर्दिष्ट पंजीकरण पत्तनों पर पोतों के पंजीकरण के आधार पर भारतीय पोत धारा 406 के तहत लाइसेंस के लिए अनुमोदित माने गए हैं और इनको तटीय व्यापार की अनुमति प्रदान की गई है।
12. जबकि, भारतीय नागरिक या भारत में निगमीकृत किसी कंपनी या भारत में पंजीकृत किसी सहकारी-सोसाइटी द्वारा चार्टर किए गए किसी अन्य पोत को भारत के अंदर या बाहर किसी पत्तन या स्थान से समुद्र तक ले जाने के लिए धारा 406 के तहत लाइसेंस प्राप्त करने की आवश्यकता है और इसलिए इनको तटीय व्यापार करने की अनुमति है।
13. जबकि, भारत में व्यापार को प्रोत्साहित करना और व्यापार करने को आसान बनाना भारत सरकार द्वारा बल दिए जाने वाले प्रमुख क्षेत्रों में से एक है, और कार्गो की शिपिंग और जलयानों के प्रचालन की प्रक्रिया को सरल बनाने की आवश्यकता है।
14. अतः केन्द्र सरकार वाणिज्य पोत परिवहन अधिनियम, 1958 (58 का 44) की धारा 406 के परंतुक के अंतर्गत प्रदत्त शक्तियों का प्रयोग करते हुए इसे जनता के हित में आवश्यक एवं लाभकारक मानते हुए एतद्वारा निर्देश देती है कि:
 - 14.1 विदेश व्यापार महानिदेशक, वाणिज्य एवं उद्योग मंत्रालय द्वारा अपनाए गए एवं यथा संशोधित अनुबंध-2 के अनुसार भारतीय व्यापार वर्गीकरण (आईटीसी), हार्मोनाइज्ड प्रणाली (एचएस) में विनिर्दिष्ट कृषि, मत्स्यपालन, कृषि उत्पाद एवं बागवानी संबंधी सामानों के समुद्र द्वारा परिवहन के लिए तटीय व्यापार में शामिल होने वाले भारतीय पोतों तथा भारत के नागरिक या भारत में निगमित किसी कंपनी अथवा भारत में पंजीकृत सहकारी सोसाइटी द्वारा चार्टर्ड किए गए पोतों धारा 406 की उप-धारा (I) के प्रावधान लागू नहीं होंगे।
 - 14.2 पैरा 14.1 पर पोतों के लिए छूट इस शर्त के अधीन होगी जब पैरा 14.1 के अनुसार विनिर्दिष्ट कृषि, मत्स्यपालन, कृषि उत्पाद एवं बागवानी संबंधी सामानों के तटीय व्यापार की मात्रा ऑनबोर्ड शिप कार्गो का न्यूनतम 50 प्रतिशत हो।
 - 14.3 पैरा 14.1 और 14.2 पर पोतों के लिए छूट इन शर्तों के अधीन भी होगी, जब चार्टर/यात्रा संबंधी जानकारी नौवहन महानिदेशक को प्रस्तुत की गई हो। जानकारी प्रस्तुत करने के लिए निर्धारित फॉर्मेट **अनुबंध-1** पर उपलब्ध कराया गया है तथा इसे भारत में पत्तन से पोत के चलने के कम से कम 24 घंटे पहले sd4-dgs@nic.in ई-मेल पर नौवहन महानिदेशक के साथ साझा करना होगा। निर्धारित फॉर्मेट पर शिपिंग कंपनी या प्रचालक में से किसी एक के प्राधिकृत हस्ताक्षरकर्ता द्वारा डिजिटल अथवा अन्य रूप में हस्ताक्षरित होने चाहिए।
 - 14.4 उपरोक्त छूट निम्नलिखित शर्त के अधीन होगी कि भारतीय नौसेना, तट रक्षक, राज्य समुद्री पुलिस एवं सीमा शुल्क के साथ-साथ भारतीय कानून प्रवर्तन एजेंसियों को उक्त पोतों/कू के वास्तविक परिचय पत्रों की पुष्टि करने के लिए किसी भी समय समुद्र में इन पोतों पर बोर्ड करने की अनुमति होगी।
15. यह आदेश तत्काल प्रभाव से लागू होगा और इसे अगले आदेश तक वैध माना जाएगा, जब तक इसमें संशोधन न किया जाए अथवा वापिस न लिया जाए।
16. इसे सक्षम प्राधिकारी के अनुमोदन से जारी किया जाता है।

[फा. सं. एसडब्ल्यू-14020/5/2009-एमजी/एसए(खण्ड-9)]

पी. के. शर्मा, अवर सचिव

अनुबंध-1

नौवहन महानिदेशालय के साथ साझा की जाने वाली जानकारी के लिए फॉर्मेट

(i)	मालिक/आपरेटर का नाम और पत्तन	
(ii)	आई एम ओ सं. सहित पोत का नाम	
(iii)	पोत का ध्वज	
(iv)	चार्टर की अवधि	

टिप्पणी : नौवहन महानिदेशक के साथ ई मेल sd4-dgs@nic.in पर साझा किए गए दस्तावेजों पर नौवहन कम्पनी अथवा आपरेटर के प्राधिकृत हस्ताक्षरकर्ता द्वारा डिजिटल अथवा अन्य रूप से हस्ताक्षर किए जाने चाहिए।

अनुबंध-2

कृषि, मत्स्यपालन, पशुपालन और बागवानी उत्पादों के अन्तर्गत विचारणीय सामान

1.	विभिन्न 4-डिजिट, 6-डिजिट और 8 डिजिट एचएस कोडों सहित 2-डिजिट एचएस कोड
1.1	02- मांस और खाद्य मांस ऑफल
1.2	03- मछली और क्रस्टेशियन तथा मोलस्क एवं अन्य एक्वेटिक इन्वर्टिब्रेट्स
1.3	04- डेयरी उत्पाद, पक्षी के अण्डे, प्राकृतिक शहद, पशु मूल के खाद्य पदार्थ, जो कहीं और शामिल नहीं हैं।
1.4	07- सब्जियां और कुछ मूल और कंद; खाद्य
1.5	08- फल और नट्स, खाद्य; साइट्रस फलों अथवा खरबूजे के छिलके
1.6	09- कॉफी, चाय, मेट और मसाले
1.7	10- अनाज
1.8	11- मिलिंग उद्योग के उत्पाद; माल्ट, स्टार्च इन्सुलिन, गेहूं का लासा
1.9	12-तेल के बीज, चिकने फल; विविध अनाज, बीज और फल, औद्योगिक अथवा औषधीय पौधे; भूसा और चारा
1.10	14- वेजिटेबल प्लेटिंग मैटीरियल; जो कहीं ओर विनिर्दिष्ट अथवा शामिल न हो।
1.11	15- पशुओं अथवा सब्जी की चर्बी और तेल तथा उनकी विपाटन चर्बी
2.	विभिन्न 6- डिजिट और 8 डिजिट एचएस कोडों सहित 4-डिजिट एचएस कोड
2.1	5101 से 5105 – ऊन, धागा बनने से पूर्व
2.2	5201 से 5203 – सूत, धागा/ सूत बनने से पूर्व
2.3	5301 से 5305 – वेजिटेबल टैक्सटाइल फाइबर जैसे पटसन, हैम्प और जूट।

New Delhi, the 22nd May, 2018

Subject : Relaxation under Section 406 of the Merchant Shipping Act, 1958, for coastal movement of agriculture, horticulture, fisheries and animal husbandry commodities.

S.O. 799.—

- Whereas to enhance farmers' income, there is the related need to enhance the selling volume of the farmers, wherein the desired increase in selling volume can be achieved by enabling a large part of the produce to reach markets and be monetized; besides opening up the country as one market with eased access.
- Whereas it is the stated intent of the Government calling for a mind-set shift from facilitating and protecting agricultural trade at predefined locations accessible to farmers, towards one that expands the market ecosystem, encompasses a wider array of participants and empowers farmers to access locations further afield is required.

3. Whereas earlier, a marketing system was considered effective if it provided for market yards and transactions within immediate range of farms, the yardstick today needs to include, the interconnectivity between markets and the value dispersion between farms and consumers.
4. Whereas the transport connectivity and logistics infrastructure needs to enable farmers and logistics service providers to store and transport perishable products to serve the domestic consumption and export markets efficiently.
5. Whereas water borne transportation has the potential of simultaneously reducing the per tonne-km cost of transporting goods to one-sixth as well as reducing the greenhouse gas emission per tonne-km of transporting the goods over long distances by one-third, compared to rail and road based transportation.
6. Whereas the National Perspective Plan of the Sagarmala Programme estimates a potential of more than 9 Million Tonnes Per Annum for coastal movement of food grains and processed food.
7. Whereas water borne transportation modes, including coastal shipping, being comparatively cheaper modes of transport would enable farmers to access a larger market profitably, widen the range of goods which can be marketed, and lengthen the distances over which domestic trade can be conducted.
8. Whereas persistence of unidirectional demand leads to insufficient investment in the fleet and, as a result, inadequate availability of coastal vessels for providing reliable and time bound services to Indian ports.
9. Whereas providing for two-way cargo movement has the potential of reducing the cost of transport, improving cargo volumes and facilitating investment in fleet.
10. Whereas as per Section 406 of Merchant Shipping Act, 1958, no Indian ship and no other ship chartered by a citizen of India or a company incorporated in India or a cooperative society registered in India which satisfies the requirements specified in clause (b) of section 21 of the above state Act shall be taken to sea from a port or place within or outside India except under a license granted by the Director General under this section.
11. Whereas Indian ships by virtue of the registration of ships at designated ports of registry are deemed approved for license under Section 406, and have allowance for coasting trade.
12. Whereas other ships which may be chartered by citizens of India or a company incorporated in India or a corporate society registered in India still require to be granted license under Section 406 to be taken to sea from a port or place within or outside India and therefore have allowance for coasting trade.
13. Whereas promotion of trade and ease of doing business in India is one of the major thrust areas of the Government of India, and there is a need to simplify processes for shipping of cargo and operation of vessels.
14. Now, therefore, in exercise of the powers conferred upon it under proviso of section 406 of the Merchant Shipping Act, 1958 (44 of 58), the Central Government being of the opinion that it is necessary and expedient in the public interest, hereby directs that:
 - 14.1 The provisions of sub-section (1) of section 406 shall not apply to Indian ships and ships chartered by citizen of India or a company incorporated in India or a cooperative society registered in India to engage in the coasting trade of India for the carriage by sea of agricultural, fishery, farm produce and horticultural commodities specified in the Indian Trade Classification (ITC), Harmonized System (HS) as per Annexure 2, as adopted and modified by the Director General of Foreign Trade, Ministry of Commerce and Industry.
 - 14.2 The relaxation for ships at Para 14.1 is subject to the quantity of coasting trade of agricultural, fisheries, farm produce and horticultural commodities specified as per Para 14.1 contributing to at least 50 percent of the cargo onboard the ship.

- 14.3 The relaxation for ships at Para 14.1 and 14.2 shall further be subject to the conditions that the information about the charter/voyage will be submitted to the Director General of Shipping. The prescribed format for submitting the information is provided in Annexure 1 and must be shared with the Director General of shipping by e-mail at sd4-dgs@nic.in at least 24 hours prior to sail of ship from the port in India. The prescribed format should be either digitally or otherwise signed by an authorized signatory of either the shipping line or the operator.
- 14.4 The aforesaid relaxation shall be subject to the following condition that Indian law enforcement agencies including inter alia Indian Navy, Coast Guard, State Maritime Police and Customs, shall be allowed to board such ships any time in the sea for ascertaining the bonafide credentials of the said ships/crew.
15. This order shall come into force with immediate effect, and continue to be valid till further order, unless otherwise amended or withdrawn.
16. This issues with the approval of competent authority.

[F. No. SW-14020/5/2009-MG/SA(Vol.9)]

P. K. SHARMA, Under Secy.

ANNEXURE 1**Format for information to be shared with
Director General of Shipping**

(i)	Name of owner/ operator and address	
(ii)	Name of ship with IMO No.	
(iii)	Flag of the ship	
(iv)	Period of charter	

Note: The document so shared with the Director General of Shipping by e-mail at sd4-dgs@nic.in should be either digitally or otherwise signed by an authorized signatory of either the shipping line or the operator.

ANNEXURE 2**Commodities to be considered under agricultural, fisheries, animal husbandry and horticulture products**

1.	2-digit HS codes, inclusive of the various 4-digit, 6-digit and 8-digit HS codes
1.1	02 – Meat and edible meat offal
1.2	03 – Fish and crustaceans, molluscs and other aquatic invertebrates
1.3	04 – Dairy produce, bird's eggs, natural honey, edible products of animal origin, not elsewhere included
1.4	07 – Vegetables and certain roots and tubers; edible
1.5	08 – Fruits and nuts, edible; peel of citrus fruits or melons
1.6	09 – Coffee, tea, mate and spices

1.7	10 – Cereals
1.8	11 – Products of the milling industry; malt, starch, inulin, wheat gluten
1.9	12 – Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit, industrial or medicinal plants; straw and fodder
1.10	14 – Vegetable plaiting materials; not elsewhere specified or included
1.11	15 – Animal or vegetable fats and oils and their cleavage products
2.	4-digit HS codes, inclusive of the various 6-digit and 8-digit HS codes
2.1	5101 to 5105 – Wool, prior to yarn formation
2.2	5201 to 5203 – Cotton, prior to yarn/thread formation
2.3	5301 to 5305 – Vegetable textile fibers such as flax, hemp and jute

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 4 मई, 2018

का.आ. 800.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2224 तारीख 14 सितम्बर, 2017 जो भारत के राजपत्र, तारीख 17 सितम्बर – 23 सितम्बर 2017, में प्रकाशित की गई थी द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में महाराष्ट्र राज्य में जिला अहमदनगर में तालुका कोपरगांव कोयली – अहमदनगर – सोलापुर पेट्रोलियम परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार के अर्जन के अपने आषय की घोषणा की थी ;

और उक्त राजपत्र अधिनियम की प्रतियां जनता को तारीख 10 जनवरी, 2018 तक उपलब्ध करा की गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट की है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाए ;

और सरकार उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए, सभी विल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगी ।

पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अधीन किसी भी क्षतिपूर्ति के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड पूर्णतया उत्तरदायी होगी और पाइपलाइन से सम्बन्धित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद दावा या कानूनी कार्यवाही नहीं हो सकेगी ।

अनुसूची

तहसील — कोपरगांव	जिला — अहमदनगर		राज्य — महाराष्ट्र		
मौजा / ग्राम	सर्वे / ब्लाक / सं. (प्लोट सं.)	सब-डीव-सं.	क्षेत्रफल		
			हेक्टेयर	आरे	वर्ग मीटर
1	2	3	4	5	6
सावलगांव	113		00	22	60
	112		00	13	45
	121 / 1		00	02	00
	121 / 2		00	00	58
	116 / 2		00	11	05
	111		00	14	45
	109		00	14	14
	27 / 1		00	05	50
	27 / 2		00	07	10
	27 / 4		00	06	80
	28 / 1		00	00	74
	28 / 3		00	03	37
	25 / 1		00	05	68
	25 / 2		00	00	02
	22		00	03	32
	21		00	04	12
	20		00	05	31
	17 / 1		00	06	46
	14		00	06	41
	13		00	05	59
	9		00	06	30
	8		00	08	78
	7		00	03	83
	5		00	00	20
	6		00	15	58
	3 / 2		00	07	46
	2		00	28	68
तिलवणी	16 / 2		00	40	37

	14 / 1		00	16	74
	14 / 2		00	19	14
	13		00	17	38
	59 / 1		00	04	93
	59 / 2		00	03	80
	60		00	09	75
	61		00	01	91
	86		00	07	40
	87		00	06	29
	88 / 1		00	06	92
	89 / 2		00	03	46
	89 / 3		00	03	45
	91 / 1		00	06	80
	91 / 3		00	03	75
	93 / 1		00	03	49
	94		00	12	38
	95		00	03	39
	96		00	00	20
	101 / 2		00	00	71
	101 / 3		00	09	32
	101 / 4		00	10	12
	101 / 5		00	09	65
	108		00	08	37
	109 / 1		00	04	13
	109 / 2		00	03	75
	111		00	09	21
	113		00	08	39
	114		00	03	25
	117 / 1		00	27	23
	117 / 2		00	16	74
	133		00	30	08
	132 / 1		00	20	84
	132 / 2		00	22	50
	216 / 1		00	00	20

	131 / 1		00	08	82
	131 / 2		00	29	61
	218		00	19	10
	219 / 2		00	08	71
	219 / 4		00	08	44
	220 / 1		00	05	79
	221 / 1		00	41	21
	221 / 2		00	07	66
	227 / 1		00	02	63
आपेगांव	57 / 1		00	14	64
	57 / 4		00	03	57
	57 / 5		00	04	33
	55		00	12	96
	54		00	06	37
	53		00	08	85
	52 / 1		00	05	46
	52 / 2		00	06	93
	52 / 3		00	05	48
	50		00	10	61
	160 / 1		00	09	35
	160 / 2		00	07	04
	162 / 1		00	14	75
	162 / 2		00	02	00
	163 / 2		00	00	20
	161 / 2		00	03	46
	165		00	06	79
	166		00	05	28
	167		00	05	37
	155 / 1		00	07	54
	154		00	07	11
	183		00	07	85
	153		00	10	16
	152 / 2		00	00	57
	185		00	14	27

	186		00	03	07
	147 / 4		00	00	01
	147 / 5		00	12	37
	147 / 6		00	16	09
	188		00	07	78
	145 / 1		00	44	84
	145 / 6		00	08	05
	145 / 7		00	20	09
	192 / 1		00	13	43
	193 / 1		00	14	96
	193 / 2		00	01	25
	193 / 3		00	22	49
	201 / 2		00	05	85
	201 / 3		00	05	59
	201 / 5		00	06	11
	201 / 6		00	00	67
	201 / 8		00	05	23
	200 / 1		00	20	17
घोयेगांव	43		00	36	28
	44 / 4		00	32	08
	45 / 1		00	05	68
	45 / 2		00	05	89
	45 / 3		00	06	28
	46 / 2		00	07	66
तलेगांव मले	70 / 2		00	01	97
	61 / 1		00	14	90
	61 / 2		00	30	40
	60 / 2		00	01	78
	62		00	10	74
	63		00	11	99
	64		00	12	57
	65		00	14	09
	55		00	03	09
	54 / 1		00	11	60

	54 / 2		00	14	84
	53 / 1		00	14	56
	53 / 2		00	04	49
	53 / 3		00	04	28
	53 / 4		00	04	32
	52 / 1		00	09	08
	52 / 2		00	13	11
	52 / 3		00	20	54
	49		00	00	78
	51		00	10	90
	111		00	12	44
	110		00	08	00
	109		00	12	84
	108		00	12	35
	105		00	23	28
	104		00	12	98
	119 / 1		00	19	43
	119 / 2		00	33	18
	118 / 1		00	07	33
	120 / 2		00	07	35
	125 / 1		00	05	35
	125 / 2		00	11	47
	125 / 3		00	05	15
	125 / 4		00	06	21
	125 / 5		00	05	19
	125 / 6		00	09	33
	125 / 7		00	04	99
	125 / 8		00	04	35
	125 / 9		00	04	49
	136 / 1		00	11	09
	136 / 3		00	18	78
	136 / 4		00	11	02
	137		00	03	67
	139		00	07	55

	140		00	04	11
	141		00	00	24
	144		00	00	20

[फा. सं. आर-11025(11)/6/2018-ओआर-I/ई-23678]

पवन कुमार, अवसर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 4th May, 2018

S.O. 800.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas 2224 dated the 14th September, 2017, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), Published in the Gazette of India dated the 17th September-23rd September 2017, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying Koyali-Ahmednagar-Solapur Pipeline for the transportation of Petroleum Items in Taluka Kopargaon in Ahmednagar District in the State of Maharashtra by Indian Oil Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public up to 10th January, 2018;

And whereas the competent authority has under sub-section (1) of Section 6 of said act submitted report to the Central Government;

And Whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of the declaration, in Indian Oil Corporation Limited, free from all encumbrances.

Indian Oil Corporation Limited shall be exclusively liable for any compensation in terms of Section 10 of the P & MP Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to the pipeline.

SCHEDULE

Tehsil:- Kopargaon	District:- Ahmadnagar		State :- Maharashtra		
Mouja / Village	Survey/Block No.	Sub-Div-No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
Sawalgaon	113		00	22	60
	112		00	13	45
	121/1		00	02	00
	121/2		00	00	58
	116/2		00	11	05
	111		00	14	45
	109		00	14	14
	27/1		00	05	50

	27/2		00	07	10
	27/4		00	06	80
	28/1		00	00	74
	28/3		00	03	37
	25/1		00	05	68
	25/2		00	00	02
	22		00	03	32
	21		00	04	12
	20		00	05	31
	17/1		00	06	46
	14		00	06	41
	13		00	05	59
	9		00	06	30
	8		00	08	78
	7		00	03	83
	5		00	00	20
	6		00	15	58
	3/2		00	07	46
	2		00	28	68
Tilvani	16/2		00	40	37
	14/1		00	16	74
	14/2		00	19	14
	13		00	17	38
	59/1		00	04	93
	59/2		00	03	80
	60		00	09	75
	61		00	01	91
	86		00	07	40
	87		00	06	29
	88/1		00	06	92
	89/2		00	03	46
	89/3		00	03	45
	91/1		00	06	80
	91/3		00	03	75
	93/1		00	03	49
	94		00	12	38
	95		00	03	39
	96		00	00	20
	101/2		00	00	71

	101/3		00	09	32
	101/4		00	10	12
	101/5		00	09	65
	108		00	08	37
	109/1		00	04	13
	109/2		00	03	75
	111		00	09	21
	113		00	08	39
	114		00	03	25
	117/1		00	27	23
	117/2		00	16	74
	133		00	30	08
	132/1		00	20	84
	132/2		00	22	50
	216/1		00	00	20
	131/1		00	08	82
	131/2		00	29	61
	218		00	19	10
	219/2		00	08	71
	219/4		00	08	44
	220/1		00	05	79
	221/1		00	41	21
	221/2		00	07	66
	227/1		00	02	63
Aapegaon	57/1		00	14	64
	57/4		00	03	57
	57/5		00	04	33
	55		00	12	96
	54		00	06	37
	53		00	08	85
	52/1		00	05	46
	52/2		00	06	93
	52/3		00	05	48
	50		00	10	61
	160/1		00	09	35
	160/2		00	07	04
	162/1		00	14	75
	162/2		00	02	00
	163/2		00	00	20

	161/2		00	03	46
	165		00	06	79
	166		00	05	28
	167		00	05	37
	155/1		00	07	54
	154		00	07	11
	183		00	07	85
	153		00	10	16
	152/2		00	00	57
	185		00	14	27
	186		00	03	07
	147/4		00	00	01
	147/5		00	12	37
	147/6		00	16	09
	188		00	07	78
	145/1		00	44	84
	145/6		00	08	05
	145/7		00	20	09
	192/1		00	13	43
	193/1		00	14	96
	193/2		00	01	25
	193/3		00	22	49
	201/2		00	05	85
	201/3		00	05	59
	201/5		00	06	11
	201/6		00	00	67
	201/8		00	05	23
	200/1		00	20	17
Ghoyegaon	43		00	36	28
	44/4		00	32	08
	45/1		00	05	68
	45/2		00	05	89
	45/3		00	06	28
	46/2		00	07	66
Talegaon Male	70/2		00	01	97
	61/1		00	14	90
	61/2		00	30	40
	60/2		00	01	78
	62		00	10	74

	63		00	11	99
	64		00	12	57
	65		00	14	09
	55		00	03	09
	54/1		00	11	60
	54/2		00	14	84
	53/1		00	14	56
	53/2		00	04	49
	53/3		00	04	28
	53/4		00	04	32
	52/1		00	09	08
	52/2		00	13	11
	52/3		00	20	54
	49		00	00	78
	51		00	10	90
	111		00	12	44
	110		00	08	00
	109		00	12	84
	108		00	12	35
	105		00	23	28
	104		00	12	98
	119/1		00	19	43
	119/2		00	33	18
	118/1		00	07	33
	120/2		00	07	35
	125/1		00	05	35
	125/2		00	11	47
	125/3		00	05	15
	125/4		00	06	21
	125/5		00	05	19
	125/6		00	09	33
	125/7		00	04	99
	125/8		00	04	35
	125/9		00	04	49
	136/1		00	11	09
	136/3		00	18	78
	136/4		00	11	02
	137		00	03	67
	139		00	07	55

	140		00	04	11
	141		00	00	24
	144		00	00	20

[F. No. R-11025(11)/6/2018-OR-I/E-23678]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 4 मई, 2018

का.आ. 801.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2216 और 2217 तारीख 14 सितम्बर, 2017 जो भारत के राजपत्र, तारीख 17 सितम्बर—23 सितम्बर 2017, में प्रकाशित की गई थी द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में महाराष्ट्र राज्य में जिला नासिक में तालुका नांदगाव कोयली — अहमदनगर — सोलापुर पेट्रोलियम परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार के अर्जन के अपने आषय की घोषणा की थी ;

और उक्त राजपत्र अधिनियम की प्रतियां जनता को तारीख 27 दिसंबर, 2017 तक उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट की है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाए ;

और सरकार उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए, सभी विल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगी ।

पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अधीन किसी भी क्षतिपूर्ति के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड पूर्णतया उत्तरदायी होगी और पाइपलाइन से सम्बन्धित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद दावा या कानूनी कार्यवाही नहीं हो सकेगी ।

अनुसूची

तहसील:—नांदगाव	जिला:— नासिक		राज्य:— महाराष्ट्र		
मौजे / ग्राम	सर्वे / ब्लॉक / सं. (प्लॉट सं.)	सब—डीव—सं.	क्षेत्रफल		
			हेक्टर	आर	वर्ग मीटर
1	2	3	4	5	6
कह्नी	55		00	74	56
	51 / 1		00	37	00
	46 / 1		00	01	97
	46 / 2		00	12	02
	45		00	10	50
	39		00	09	34
	38		00	00	20
	40		00	06	32
	41		00	03	23
	42		00	00	89

	33		00	15	78
सटाणे	6/7		00	00	09
	6/18		00	03	42
	6/10		00	04	69
	6/5		00	04	41
	6/14		00	04	82
	6/1		00	04	41
	7/2		00	12	11
	7/5		00	02	93
	7/6/अ/1		00	07	93
	7/6/अ/2		00	08	37
	7/8		00	11	10
	7/9		00	03	37
	8/1/1/अ, ब, क		00	12	94
	8/1/2/ब		00	05	42
	8/1/2/अ		00	06	67
	8/3/ब		00	06	69
	8/3 क		00	06	96
	9/2		00	10	29
	9/3		00	09	37
	9/4		00	16	93
	10/1/ब/2		00	08	92
	10/1/अ		00	06	80
	10/1/ब/4		00	07	11
	10/3		00	06	55
	11/4		00	05	49
	13/2		00	01	01
	13/3		00	00	55
	14/1		00	05	44
	14/2		00	06	86
	14/3		00	16	31
	14/7		00	09	41
	14/11		00	05	81
	14/12		00	34	31
	14/13		00	00	41
	15		00	42	52
वंजारवाडी	237/1 पैकी		00	50	81

	237 / 2		00	42	20
	236		00	19	03
	193		00	06	16
	192		00	04	61
	191		00	04	52
	190 / 2		00	05	98
	185		00	09	14
	183		00	04	63
	182		00	03	56
	179		00	07	59
	165		00	17	97
	166		00	03	83
	153 / 1		00	14	14
	153 / 2		00	79	64
	139		00	49	18
	138 / 1		00	01	80
	129 / 7		00	14	53
	128		00	26	53
	126		00	00	39
	127		00	19	09
	119		00	31	19
	124 / 1		00	34	15
	121		00	26	72
नागापुर	12 / 1		00	20	55
	12 / 2 / 1 / 2 / अ		00	17	85
	12 / 2 / 1 / 2 / ब		00	07	24
	12 / 3		00	07	82
	12 / 4		00	11	03
	12 / 8 / ब		00	08	21
	12 / 8 / अ		00	08	20
	12 / 11 / 1		00	07	26
	9 / 1 / अ, ब / 2		00	17	92
	9 / 1 / ब / 1		00	07	57
	9 / 2 / 3 / 4 / 1 / ब / 2		00	02	74
	9 / 2 / 3 / 4 / 1 / अ		00	09	82
	9 / 2 / 3 / 4 / 2 / अ / 2 / 1		00	07	18
	9 / 2 / 3 / 4 / 2 / अ / 2 / 2		00	03	62

	8/2/अ/1		00	06	50
	8/1/अ/2		00	06	46
	8/1/ब		00	04	12
	8/1/क		00	02	72
	8/3/ब		00	02	19
	7/1/1/1		00	10	15
	7/1/1/2		00	09	82
	6/2/अ/1/2		00	04	91
	6/2/अ/1/1		00	04	86
	6/3/अ/2		00	04	95
	6/3/अ/1		00	04	86
	5/1/2/5/6/अ/1		00	05	16
	5/1/2/5/6/अ/2		00	14	29
	4/2/1/अ		00	08	51
	4/4		00	09	94
	3/1/2/क		00	22	86
	32		00	24	08
	31/1 पै		00	11	64
	38/अ/1		00	09	30
	38/अ/2		00	09	07
	49/1/1		00	11	59
	50अ/1		00	09	22
	51/5		00	12	92
	51/2		00	14	36
	52/1/अ/1/ड		00	06	88
	52/1/अ/1/अ		00	05	51
	52/6/अ		00	03	49
	52/9		00	03	49
	52/8		00	07	46
	53/1/अ/1		00	13	33
	53/1/अ/3		00	12	47
	58/1/क		00	13	57
	58/1/ब		00	12	42
	59/1		00	05	87
	59/2		00	07	33

	59 / 1 / 3		00	06	38
	59 / 4		00	06	87
	60 / 3 / अ / 2		00	03	14
	60 / 2 / 1		00	17	85
	60 / 2 / 2		00	12	78
	61 / 1 / 1 / क		00	14	61
	61 / 1 / 1 / ब		00	07	70
	61 / 1 / 1 / ट		00	03	74
	61 / 1 / 1 / ड		00	04	60
	63 / 1 / क / 2 / अ		00	11	53
	63 / 1 / क / 2 / ब		00	07	01
	63 / 2		00	15	99
	63 / 3		00	24	25
	63 / 1 / ब / 2		00	00	78

[फा. सं. आर-11025(11)/6/2018-ओआर-I/ई-23678]

पवन कुमार, अवर सचिव

New Delhi, the 4th May, 2018

S.O. 801.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas vide S.O. No. 2216 and 2217 dated the 14th September, 2017, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), Published in the Gazette of India dated the 17th September-23rd September 2017, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying Koyali-Ahmednagar-Solapur Pipeline for the transportation of Petroleum Products in Taluka Nandgaon in Nashik District in the State of Maharashtra by Indian Oil Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public up to 27th December, 2017;

And whereas the competent authority has under sub-section (1) of Section 6 of said act submitted report to the Central Government;

And Whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of the declaration, in Indian Oil Corporation Limited, free from all encumbrances.

Indian Oil Corporation Limited shall be exclusively liable for any compensation in terms of Section 10 of the P & MP Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to the pipeline.

SCHEDULE

Tehsil:- Nandgaon	District:- Nashik		State :- Maharashtra		
Mouje / Village	Survey/Block No.	Sub-Div-No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
Karhi	55		00	74	56
	51/1		00	37	00
	46/1		00	01	97
	46/2		00	12	02
	45		00	10	50
	39		00	09	34
	38		00	00	20
	40		00	06	32
	41		00	03	23
	42		00	00	89
	33		00	15	78
Satane	6/7		00	00	09
	6/18		00	03	42
	6/10		00	04	69
	6/5		00	04	41
	6/14		00	04	82
	6/1		00	04	41
	7/2		00	12	11
	7/5		00	02	93
	7/6/A/1		00	07	93
	7/6/A/2		00	08	37
	7/8		00	11	10
	7/9		00	03	37
	8/1/1/A, B, C		00	12	94
	8/1/2/B		00	05	42
	8/1/2/A		00	06	67
	8/3/B		00	06	69
	8/3/C		00	06	96
	9/2		00	10	29

	9/3		00	09	37
	9/4		00	16	93
	10/1/B/2		00	08	92
	10/1/A		00	06	80
	10/1/B/4		00	07	11
	10/3		00	06	55
	11/4		00	05	49
	13/2		00	01	01
	13/3		00	00	55
	14/1		00	05	44
	14/2		00	06	86
	14/3		00	16	31
	14/7		00	09	41
	14/11		00	05	81
	14/12		00	34	31
	14/13		00	00	41
	15		00	42	52
Wanjarwadi	237/1 PAIKY		00	50	81
	237/2		00	42	20
	236		00	19	03
	193		00	06	16
	192		00	04	61
	191		00	04	52
	190/2		00	05	98
	185		00	09	14
	183		00	04	63
	182		00	03	56
	179		00	07	59
	165		00	17	97
	166		00	03	83
	153/1		00	14	14
	153/2		00	79	64
	139		00	49	18
	138/1		00	01	80

	129/7		00	14	53
	128		00	26	53
	126		00	00	39
	127		00	19	09
	119		00	31	19
	124/1		00	34	15
	121		00	26	72
Nagapur	12/1		00	20	55
	12/2/1/2/A		00	17	85
	12/2/1/2/B		00	07	24
	12/3		00	07	82
	12/4		00	11	03
	12/8/ B		00	08	21
	12/8/ A		00	08	20
	12/11/1		00	07	26
	9/1/ A & 9/1/ B/2		00	17	92
	9/1/ B/1		00	07	57
	9/2/3/4/1/ B/2		00	02	74
	9/2/3/4/1/ A		00	09	82
	9/2/3/4/2/ A/2/1		00	07	18
	9/2/3/4/2/ A/2/2		00	03	62
	8/2/A/1		00	06	50
	8/1/A/2		00	06	46
	8/1/B		00	04	12
	8/1/C		00	02	72
	8/3/B		00	02	19
	7/1/1/1		00	10	15
	7/1/1/2		00	09	82
	6/2/A/1/2		00	04	91
	6/2/A/1/1		00	04	86
	6/3/A/2		00	04	95
	6/3/A/1		00	04	86
	5/1/2/5/6/A/1		00	05	16
	5/1/2/5/6/ A/2		00	14	29

	4/2/1/ A		00	08	51
	4/4		00	09	94
	3/1/2/C		00	22	86
	32		00	24	08
	31/1P		00	11	64
	38/A/1		00	09	30
	38/A/2		00	09	07
	49/1/1		00	11	59
	50A/1		00	09	22
	51/5		00	12	92
	51/2		00	14	36
	52/1/ A/1/D		00	06	88
	52/1/A/1/A		00	05	51
	52/6/A		00	03	49
	52/9		00	03	49
	52/8		00	07	46
	53/1/A/1		00	13	33
	53/1/A/3		00	12	47
	58/1/C		00	13	57
	58/1/B		00	12	42
	59/1		00	05	87
	59/2		00	07	33
	59/1/3		00	06	38
	59/4		00	06	87
	60/3/A/2		00	03	14
	60/2/1		00	17	85
	60/2/2		00	12	78
	61/1/1/C		00	14	61
	61/1/1/B		00	07	70
	61/1/1/T		00	03	74
	61/1/1/D		00	04	60

	63/1/C/2/A		00	11	53
	63/1/C/2/B		00	07	01
	63/2		00	15	99
	63/3		00	24	25
	63/1/B/2		00	00	78

[F. No. R-11025(11)/6/2018-OR-I/E-23678]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 4 मई, 2018

का.आ. 802.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2227 तारीख 18 सितम्बर, 2017 जो भारत के राजपत्र, तारीख 17 सितम्बर—23 सितम्बर 2017, में प्रकाशित की गई थी द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में महाराष्ट्र राज्य में जिला औरंगाबाद में तालुका वैजापुर कोयली — अहमदनगर — सोलापुर पेट्रोलियम परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार के अर्जन के अपने आषय की घोषणा की थी ;

और उक्त राजपत्र अधिनियम की प्रतियां जनता को तारीख 30 दिसंबर, 2017 तक उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट की है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिष्पन्न किया है ;

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाए ;

और सरकार उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए, सभी विल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगी ।

पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अधीन किसी भी क्षतिपूर्ति के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड पूर्णतया उत्तरदायी होगी और पाइपलाइन से सम्बन्धित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद दावा या कानूनी कार्यवाही नहीं हो सकेगी ।

अनुसूची

तहसील:—वैजापुर	जिला:— औरंगाबाद		राज्य:— महाराष्ट्र		
मौजे / ग्राम	सर्वे / ब्लाक / सं. (प्लोट सं.)	सब-डीव-सं.	क्षेत्रफल		
			हेक्टर	आर	वर्ग मीटर
1	2	3	4	5	6
सुराला	262		00	05	38
	261		00	20	97
	260		00	11	31
	256		00	31	56
	252		00	10	87
	251		00	50	94
	250		00	33	92

	277		00	23	81
	275		00	14	87
	274		00	03	59
	278		00	34	66
	243		00	00	68
	236		00	22	98
	242		00	00	60
	241		00	14	32
	238		00	32	20
	117		00	20	25
	118		00	55	88
	120		00	21	57
	124		00	24	22
	125		00	10	04
	126		00	09	41
	127		00	03	93
	163		00	12	86
	164		00	14	95
	165		00	12	35
	171		00	13	52
	172		00	27	48
	175		00	25	44
	176		00	06	41
कीरतपुर	67		00	37	07
	60		00	28	61
	61		00	37	79
	58		00	27	70
	47		00	15	56
	48		00	44	36
	49		00	02	68
	45		00	38	06
	44		00	07	96
भउर	134		00	07	64
गोयगांव	18		00	27	41
	17		00	26	90
	15		00	13	53
	43		00	00	20
	44		00	12	58
	50		00	20	50

	51		00	18	11
	52		00	10	66
	54		00	22	32
	56		00	18	77
	68		00	12	26
	65		00	13	86
	66		00	02	93
	62		00	14	18
	61		00	10	53
	105		00	31	49
	107		00	16	61
	108		00	17	10
	111		00	17	08
	112		00	18	28
	113		00	01	94
लाडगांव	307		00	06	02
	308		00	14	00
	305		00	28	96
	304		00	09	35
	294		00	92	44
	292		00	52	70
	283		00	56	07
	226		00	17	62
	227		00	37	71
	228		00	13	11
	234		00	11	96
	235		00	07	94
	237		00	10	44
	194		00	12	99
	193		00	14	08
	182		00	12	70
	181		00	12	79
	180		00	27	82
	179		00	25	15
	178		00	18	72
	177		00	14	25
	174		00	36	53
	173		00	08	79
	172		00	10	68

	171		00	16	33
	170		00	17	96
	169		00	07	24
	167		00	07	70
सावखेड गंगा	179		00	76	16
	180		00	24	51
	181		00	24	52
	182		00	12	54
	183		00	14	17
	184		00	29	80
	186		00	19	14
	187		00	16	43
	188		00	48	08
	189		00	18	20
	190		00	18	22
	191		00	15	94
	193		00	31	09
	192		00	02	55
	195		00	00	31
	194		00	50	83
	146		00	29	04
	147		00	18	03
	145		00	53	11
	144		00	11	84
	136		00	57	30
	135		00	63	50
	116		00	40	88

[फा. सं. आर-11025(11)/6/2018-ओआर-I/ई-23678]

पवन कुमार, अवर सचिव

New Delhi, the 4th May, 2018

S.O. 802.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas vide S.O. No. 2227 dated the 18th September, 2017, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), Published in the Gazette of India dated the 17th September-23rd September, 2017, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying Koyali-Ahmednagar-Solapur Pipeline for the transportation of Petroleum Products in Aurangabad District in the State of Maharashtra by Indian Oil Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public up to 30th December, 2017;

And whereas the competent authority has under sub-section (1) of Section 6 of said act submitted report to the Central Government;

And Whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of the declaration, in Indian Oil Corporation Limited, free from all encumbrances.

Indian Oil Corporation Limited shall be exclusively liable for any compensation in terms of Section 10 of the P & MP Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to the pipeline.

SCHEDULE

Tehsil:- Vaijapur	District:- Aurangabad		State :- Maharashtra		
Mouja / Village	Survey/Block No.	Sub-Div-No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
Surala	262		00	05	38
	261		00	20	97
	260		00	11	31
	256		00	31	56
	252		00	10	87
	251		00	50	94
	250		00	33	92
	277		00	23	81
	275		00	14	87
	274		00	03	59
	278		00	34	66
	243		00	00	68
	236		00	22	98
	242		00	00	60
	241		00	14	32
	238		00	32	20
	117		00	20	25
	118		00	55	88
	120		00	21	57
	124		00	24	22
	125		00	10	04
	126		00	09	41

	127		00	03	93
	163		00	12	86
	164		00	14	95
	165		00	12	35
	171		00	13	52
	172		00	27	48
	175		00	25	44
	176		00	06	41
Keeratpur	67		00	37	07
	60		00	28	61
	61		00	37	79
	58		00	27	70
	47		00	15	56
	48		00	44	36
	49		00	02	68
	45		00	38	06
	44		00	07	96
Bhaur	134		00	07	64
Goygaon	18		00	27	41
	17		00	26	90
	15		00	13	53
	43		00	00	20
	44		00	12	58
	50		00	20	50
	51		00	18	11
	52		00	10	66
	54		00	22	32
	56		00	18	77
	68		00	12	26
	65		00	13	86
	66		00	02	93
	62		00	14	18
	61		00	10	53
	105		00	31	49
	107		00	16	61

	108		00	17	10
	111		00	17	08
	112		00	18	28
	113		00	01	94
Ladgaon	307		00	06	02
	308		00	14	00
	305		00	28	96
	304		00	09	35
	294		00	92	44
	292		00	52	70
	283		00	56	07
	226		00	17	62
	227		00	37	71
	228		00	13	11
	234		00	11	96
	235		00	07	94
	237		00	10	44
	194		00	12	99
	193		00	14	08
	182		00	12	70
	181		00	12	79
	180		00	27	82
	179		00	25	15
	178		00	18	72
	177		00	14	25
	174		00	36	53
	173		00	08	79
	172		00	10	68
	171		00	16	33
	170		00	17	96
	169		00	07	24
	167		00	07	70
Sawkheda Ganga	179		00	76	16
	180		00	24	51
	181		00	24	52

	182		00	12	54
	183		00	14	17
	184		00	29	80
	186		00	19	14
	187		00	16	43
	188		00	48	08
	189		00	18	20
	190		00	18	22
	191		00	15	94
	193		00	31	09
	192		00	02	55
	195		00	00	31
	194		00	50	83
	146		00	29	04
	147		00	18	03
	145		00	53	11
	144		00	11	84
	136		00	57	30
	135		00	63	50
	116		00	40	88

[F. No. R-11025(11)/6/2018-OR-I/E-23678]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 4 मई, 2018

का.आ. 803.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2219 तारीख 14 सितम्बर, 2017 जो भारत के राजपत्र, तारीख 17 सितम्बर — 23 सितम्बर 2017 में प्रकाशित की गई थी द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में महाराष्ट्र राज्य में जिला नासिक में तालुका येवला कोयली — अहमदनगर — सोलापुर पेट्रोलियम परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाईन बिछाने के प्रयोजन के लिए उपयोग के अधिकार के अर्जन के अपने आषय की घोषणा की थी ;

और उक्त राजपत्र अधिनियम की प्रतियां जनता को तारीख 04 जनवरी, 2018 तक उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को रिपोर्ट की है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाईन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाईन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाए ;

और सरकार उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए, सभी विल्लगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगी ।

पेट्रोलियम और खनिज पाइपलाईन अधिनियम, 1962 की धारा 10 के अधीन किसी भी क्षतिपूर्ति के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड पूर्णतया उत्तरदायी होगी और पाइपलाईन से सम्बन्धित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद दावा या कानूनी कार्यवाही नहीं हो सकेगी।

अनुसूची

तहसील:—येवला	जिला:— नासिक		राज्य:— महाराष्ट्र		
मौजा / ग्राम	सर्वे / ब्लाक / सं. (प्लोट सं.)	सब-डीव-सं.	क्षेत्रफल		
			हेक्टेयर	आरे	वर्ग मीटर
1	2	3	4	5	6
वसंतनगर	21 / 1		00	23	71
	21 / 2		00	17	07
	18 / 1		00	01	72
	22 / 1		00	00	20
	25 / 1		00	00	48
	25 / 2		00	36	27
	24		00	06	56
	26		00	35	32
	27 / 1		00	00	25
	27 / 2		00	26	93
	27 / 3		00	27	07
	14 / 2		00	58	36
	13 / 1		00	56	50
	13 / 2		00	36	00
	31		00	55	26
	32		00	10	60
	33 / 1		00	31	14
	33 / 2		00	16	59
	33 / 3		00	13	09
	33 / 4		00	16	14
	1		00	79	52
	4		00	74	03
कुसमाड़ी	433 पैकी		00	25	76
	400		00	23	42

	399		00	23	42
	394		00	26	49
	393		00	17	68
	391		00	10	43
	390 / 2		00	06	67
	390 / 3		00	05	07
	389		00	07	99
	387		00	08	45
	385		00	29	30
	382		00	00	20
	374		00	31	16
	373		00	00	71
	368		00	04	33
	367		00	09	89
	363		00	22	68
	364		00	25	37
	362		00	00	35
	359		00	16	29
धामोड़े	72		00	25	00
	77		00	03	45
	78 / 1		00	12	55
	79 / 1		00	06	70
	79 / 2 / ब		00	06	72
	82 / 2		00	05	82
	84		00	08	41
	87		00	09	31
	89 / 1 / अ		00	08	21
	89 / 1 / ब		00	08	80
	90 / 2		00	30	78
	91 / 1		00	20	86
	91 / 2		00	30	07
	94 / 1		00	23	37

	94 / 2 / 2 / ब		00	06	33
	94 / 2 / 3 / क		00	06	00
	94 / 2 / 4 / ड		00	05	22
	94 / 2 / 5 / ङ		00	05	22
	112		00	05	45
	145		00	01	69
	144		00	05	48
	131		00	12	29
	130		00	11	75
	227 / 1 / अ		00	11	27
	230		00	14	24
	229		00	09	33
	228		00	29	36
	237		00	13	32
	236		00	15	28
	333		00	30	29
	255 / 1		00	17	51
	255 / 2		00	03	89
	268		00	14	57
	269		00	00	20
	329		00	32	31
	328 / 1		00	13	37
	328 / 2		00	15	98
	328 / 3		00	22	19
	319 / 2		00	06	64
	279		00	01	37
	280		00	15	71
	281		00	11	09
	282		00	07	13
	288		00	33	28
	289		00	13	64
	316 / 1 / अ		00	15	99

	316/2/ब		00	12	82
	316/2		00	15	75
	293		00	04	70
	315/1		00	00	20
	294		00	15	64
	295		00	12	33
	296		00	07	35
	297		00	06	96
	298		00	07	39
	300/1		00	04	34
	299		00	41	93
गणेशपुर	48		00	15	49
	49		00	01	68
नगरसुल	1046/1		00	09	98
	1045		00	30	85
	1043		00	23	02
	1042		00	10	93
	1041		00	05	58
	1040		00	06	51
	1039		00	04	16
	1038		00	12	49
मातुलठाण	243/2		00	10	03
	243/3		00	01	88
	243/5		00	09	40
	243/6		00	27	02
	247/1		00	10	49
	247/2		00	19	05
	250/1		00	03	55
	250/2		00	12	19
	251/अ		00	08	45
	251/ब		00	03	54
	253		00	02	77

	240		00	26	07
	239		00	11	75
	237		00	13	63
	236 / 1		00	02	58
	256 / अ		00	22	45
	228		00	53	24
	227 / 2 / 2		00	04	64
	212		00	01	40
	210 / 1		00	06	03
	210 / 2		00	21	30
	211		00	12	02
	214		00	02	07
	213		00	09	49
	214 पैकी		00	11	15
	221		00	22	75
	173		00	09	42
	160		00	00	91
	162 / 1		00	17	02
	161		00	12	01
	159 / अ		00	04	09
	159 / ड		00	39	99
	159 / एफ		00	10	27
	159 / जे		00	04	84
	158 / 1		00	11	85
	153		00	08	45
	152 / 2		00	13	69
	152 / 3		00	15	96
बल्हेगांव	17 / 1		00	03	14
	18		00	46	88
	20 / 1 ब		00	02	02
	20 / 1 क / 1		00	25	77
	20 / 1 क / 2		00	11	11

	20/2ब		00	12	53
	51/1ब		00	00	54
	50/1/1अ		00	08	16
	50/1/1ब		00	09	19
	50/1/3/2		00	09	61
	50/1/2		00	10	12
	48/1		00	18	59
	48/3		00	14	80
	46/3अ		00	12	91
	47/1अ		00	13	18
	47/1ब		00	15	72
	47/2		00	06	72
	43/1अ		00	21	98
	43/1ब		00	02	49
	43/2ब		00	22	28
	55/2/1		00	01	72
	42/1		00	00	44
	56//1/2/1		00	31	40
	56/1/2/ब/2		00	19	81
	56/1/2/ब/1		00	07	18
	58/1/3		00	14	56
	58/1/4		00	15	14
	58/2		00	03	44
	59		00	31	43
	60/1ब		00	27	46
	60/2/अ		00	01	73
	61/3ब		00	04	10
धामणगांव	117		00	02	58
	116		00	12	09
	114		00	00	20
	115/1		00	14	96
	115/2		00	15	67

	99		00	33	03
	98		00	19	90
	100 / 1		00	04	03
	94 / अ / 2		00	40	47
	94 / अ / 1		00	19	74
	94 / ब		00	05	75
	93		00	00	20
	86 / 1		00	11	26
	87		00	17	01
	88 / 1 / 1		00	10	11
	88 / 1 / 2		00	04	11
	69 / 1		00	14	61
	69 / 1 / 1		00	00	05
	68 / अ		00	14	44
	68 / अ / 1		00	15	19
	68 / ब / 1		00	17	53
अंदरसुल	861 / 1		00	00	28
	862 / 1		00	11	58
	862 / 2		00	14	44
	862 / 3 / 2		00	17	72
	863 / 1		00	00	35
	863 / 2		00	16	45
	863 / 3		00	12	86
	863 / 4		00	10	05
	864 / 2		00	28	68
	870		00	09	17
	869 / 1 / 1		00	00	77
	869 / 1 / 2		00	02	33
	867 / 1		00	30	45
	867 / 2		00	21	00
	866		00	02	97
	824 / 1		00	42	82

	823 / 1 / 1		00	02	34
	823 / 1 / 2		00	11	36
	823 / 1 / 3		00	16	18
	823 / 2		00	09	32
	822 / 2ब / 2 / 1		00	09	51
	822 / 2ब / 2 / 2		00	05	53
	822 / 1अ / 2+822 / 1ब / 2		00	15	46
	749 / 1		00	06	02
	749 / 2		00	20	97
	754		00	19	87
	753 / 1		00	12	92
	753 / 2		00	18	93
	753 / 3		00	03	56
	752		00	34	37
	743 / 2		00	13	66
	756 / 1		00	05	37
	757 / 1		00	02	70
	720 / 1		00	17	19
	720 / 2		00	28	26
	721 / 2		00	01	57
	724 / 2		00	28	06
	724 / 5		00	10	50
	723 / 1		00	21	43
	723 / 3		00	23	16
	723 / 5		00	03	66
	624 / 1 / अ		00	21	35
	624 / 3		00	13	96
	624 / 4 / 1		00	12	85
	623 / 1		00	31	66
	623 / 2		00	31	94
	589 / 5		00	02	25
	589 / 6		00	32	59

	588 / 1३ / 2 / 1		00	09	41
	588 / 1३ / 2 / 2		00	10	86
	588 / 1३ / 1		00	28	47
	587 / 2		00	22	94
	582 / 2		00	03	71
	583 / 1		00	12	30
	583 / 2		00	12	30
	586 / 8		00	31	81
	585 / 1 / 1		00	26	35
	585 / 1 / 2		00	13	20
	585 / 1 / 3		00	05	82
	480 / 2		00	25	27
	481 / 1		00	15	82
	482 / 1 / 1		00	15	48
	482 / 1 / 2		00	14	86
	482 / 2		00	12	40
	529		00	49	25
	528		00	07	11
	526 / 2		00	01	67
	527 / 1		00	22	74
	527 / 4		00	27	35
	524		00	13	04
	523		00	07	91
	522		00	06	76
	521		00	33	56
	520		00	09	52
	519		00	00	64
	517 / 1		00	10	38
	518		00	00	20
बोकटे	200 / 2		00	20	24
	198 / 1 / ब		00	20	16
	197 / 4 (197 / 4 / 5 / 6)		00	20	38

	197 / 5(197 / 4 / 5 / 6)		00	21	11
	196 / 5		00	20	60
	196 / 6		00	06	21
	177 / 3		00	35	93
	177 / 5		00	05	37
	129 / 1, 2, 3, 4		00	40	62
	128 / 3		00	12	30
	128 / 4		00	14	70
	132 / 1		00	21	39
	132 / 2		00	19	15
	132 / 3		00	20	86
	133 / 1 / ब		00	09	87
	133 / 1 / अ / 2		00	04	68
	133 / 2		00	04	89
	134		00	10	64
	134 / 2		00	05	65
	135		00	08	46
	136		00	09	14
	137		00	09	48
	71 / 1		00	02	74
	70		00	33	23
	69		00	18	55
	69 / 2		00	04	94
	67		00	17	26
	66		00	08	86
	66 / 2		00	08	65
	64		00	35	31
दुगलगावं	143		00	05	35
	142		00	00	49
	141		00	13	59
	148		00	09	41
	138 / 1		00	11	71

	137		00	07	38
	151		00	35	11
	152		00	15	73
	35		00	12	03
	36		00	03	28
	34 / 1		00	28	58
	32		00	44	11
	33 / ब		00	00	20
	31 / 1, 2		00	09	17

[फा. सं. आर-11025(11)/6/2018-ओआर-I/ई-23678]

पवन कुमार, अवर सचिव

New Delhi, the 4th May, 2018

S.O. 803.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas vide S.O. No. 2219 dated the 14th September, 2017, issued under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), Published in the Gazette of India dated the 17th September-23rd September 2017, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying Koyali-Ahmednagar-Solapur Pipeline for the transportation of Petroleum Products in Taluka Yeola in Nashik District in the State of Maharashtra by Indian Oil Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public up to 4th January 2018;

And whereas the competent authority has under sub-section (1) of Section 6 of said act submitted report to the Central Government;

And Whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of the declaration, in Indian Oil Corporation Limited, free from all encumbrances.

Indian Oil Corporation Limited shall be exclusively liable for any compensation in terms of Section 10 of the P & MP Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to the pipeline.

SCHEDULE

Tehsil:- Yeola	District:- Nashik		State :- Maharashtra		
Mouja / Village	Survey/Block No.	Sub-Div-No.	Area		
			Hectare	are	Sq. Mtr.
1	2	3	4	5	6
Vasantnagar	21/1		00	23	71
	21/2		00	17	07

	18/1		00	01	72
	22/1		00	00	20
	25/1		00	00	48
	25/2		00	36	27
	24		00	06	56
	26		00	35	32
	27/1		00	00	25
	27/2		00	26	93
	27/3		00	27	07
	14/2		00	58	36
	13/1		00	56	50
	13/2		00	36	00
	31		00	55	26
	32		00	10	60
	33/1		00	31	14
	33/2		00	16	59
	33/3		00	13	09
	33/4		00	16	14
	1		00	79	52
	4		00	74	03
Kusmadi	433 Paiky		00	25	76
	400		00	23	42
	399		00	23	42
	394		00	26	49
	393		00	17	68
	391		00	10	43
	390/2		00	06	67
	390/3		00	05	07
	389		00	07	99
	387		00	08	45
	385		00	29	30
	382		00	00	20
	374		00	31	16
	373		00	00	71
	368		00	04	33
	367		00	09	89
	363		00	22	68

	364		00	25	37
	362		00	00	35
	359		00	16	29
Dhamode	72		00	25	00
	77		00	03	45
	78/1		00	12	55
	79/1		00	06	70
	79/2/B		00	06	72
	82/2		00	05	82
	84		00	08	41
	87		00	09	31
	89/1/A		00	08	21
	89/1/B		00	08	80
	90/2		00	30	78
	91/1		00	20	86
	91/2		00	30	07
	94/1		00	23	37
	94/2/2/B		00	06	33
	94/2/3/K		00	06	00
	94/2/4/D		00	05	22
	94/2/5/E		00	05	22
	112		00	05	45
	145		00	01	69
	144		00	05	48
	131		00	12	29
	130		00	11	75
	227/1/A		00	11	27
	230		00	14	24
	229		00	09	33
	228		00	29	36
	237		00	13	32
	236		00	15	28
	333		00	30	29
	255/1		00	17	51
	255/2		00	03	89
	268		00	14	57
	269		00	00	20

	329		00	32	31
	328/1		00	13	37
	328/2		00	15	98
	328/3		00	22	19
	319/2		00	06	64
	279		00	01	37
	280		00	15	71
	281		00	11	09
	282		00	07	13
	288		00	33	28
	289		00	13	64
	316/1/A		00	15	99
	316/2/B		00	12	82
	316/2		00	15	75
	293		00	04	70
	315/1		00	00	20
	294		00	15	64
	295		00	12	33
	296		00	07	35
	297		00	06	96
	298		00	07	39
	300/1		00	04	34
	299		00	41	93
Ganeshpur	48		00	15	49
	49		00	01	68
Nagarsul	1046/1		00	09	98
	1045		00	30	85
	1043		00	23	02
	1042		00	10	93
	1041		00	05	58
	1040		00	06	51
	1039		00	04	16
	1038		00	12	49
Matulthan	243/2		00	10	03
	243/3		00	01	88
	243/5		00	09	40
	243/6		00	27	02

	247/1		00	10	49
	247/2		00	19	05
	250/1		00	03	55
	250/2		00	12	19
	251/A		00	08	45
	251/B		00	03	54
	253		00	02	77
	240		00	26	07
	239		00	11	75
	237		00	13	63
	236/1		00	02	58
	256/A		00	22	45
	228		00	53	24
	227/2/2		00	04	64
	212		00	01	40
	210/1		00	06	03
	210/2		00	21	30
	211		00	12	02
	214		00	02	07
	213		00	09	49
	214P		00	11	15
	221		00	22	75
	173		00	09	42
	160		00	00	91
	162/1		00	17	02
	161		00	12	01
	159/A		00	04	09
	159/D		00	39	99
	159/F		00	10	27
	159/J		00	04	84
	158/1		00	11	85
	153		00	08	45
	152/2		00	13	69
	152/3		00	15	96
Balhegaon	17/1		00	03	14
	18		00	46	88
	20/1B		00	02	02

	20/1C/1		00	25	77
	20/1C/2		00	11	11
	20/2B		00	12	53
	51/1B		00	00	54
	50/1/1A		00	08	16
	50/1/1B		00	09	19
	50/1/3/2		00	09	61
	50/1/2		00	10	12
	48/1		00	18	59
	48/3		00	14	80
	46/3A		00	12	91
	47/1A		00	13	18
	47/1B		00	15	72
	47/2		00	06	72
	43/1A		00	21	98
	43/1B		00	02	49
	43/2B		00	22	28
	55/2/1		00	01	72
	42/1		00	00	44
	56/1/2/A		00	31	40
	56/1/2/B/2		00	19	81
	56/1/2/B/1		00	07	18
	58/1/3		00	14	56
	58/1/4		00	15	14
	58/2		00	03	44
	59		00	31	43
	60/1B		00	27	46
	60/2/A		00	01	73
	61/3B		00	04	10
Dhamangaon	117		00	02	58
	116		00	12	09
	114		00	00	20
	115/1		00	14	96
	115/2		00	15	67
	99		00	33	03
	98		00	19	90
	100/1		00	04	03

	94/A/2		00	40	47
	94/A/1		00	19	74
	94/B		00	05	75
	93		00	00	20
	86/1		00	11	26
	87		00	17	01
	88/1/1		00	10	11
	88/1/2		00	04	11
	69/1		00	14	61
	69/1/1		00	00	05
	68/A		00	14	44
	68/A/1		00	15	19
	68/B/1		00	17	53
Andarsul	861/1		00	00	28
	862/1		00	11	58
	862/2		00	14	44
	862/3/2		00	17	72
	863/1		00	00	35
	863/2		00	16	45
	863/3		00	12	86
	863/4		00	10	05
	864/2		00	28	68
	870		00	09	17
	869/1/1		00	00	77
	869/1/2		00	02	33
	867/1		00	30	45
	867/2		00	21	00
	866		00	02	97
	824/1		00	42	82
	823/1/1		00	02	34
	823/1/2		00	11	36
	823/1/3		00	16	18
	823/2		00	09	32
	822/2B/2/1		00	09	51
	822/2B/2/2		00	05	53
	822/1B/2+822/1B/2		00	15	46
	749/1		00	06	02

	749/2		00	20	97
	754		00	19	87
	753/1		00	12	92
	753/2		00	18	93
	753/3		00	03	56
	752		00	34	37
	743/2		00	13	66
	756/1		00	05	37
	757/1		00	02	70
	720/1		00	17	19
	720/2		00	28	26
	721/2		00	01	57
	724/2		00	28	06
	724/5		00	10	50
	723/1		00	21	43
	723/3		00	23	16
	723/5		00	03	66
	624/1/A		00	21	35
	624/3		00	13	96
	624/4/1		00	12	85
	623/1		00	31	66
	623/2		00	31	94
	589/5		00	02	25
	589/6		00	32	59
	588/1A/2/1		00	09	41
	588/1A/2/2		00	10	86
	588/1B/1		00	28	47
	587/2		00	22	94
	582/2		00	03	71
	583/1		00	12	30
	583/2		00	12	30
	586/8		00	31	81
	585/1/1		00	26	35
	585/1/2		00	13	20
	585/1/3		00	05	82
	480/2		00	25	27
	481/1		00	15	82

	482/1/1		00	15	48
	482/1/2		00	14	86
	482/2		00	12	40
	529		00	49	25
	528		00	07	11
	526/2		00	01	67
	527/1		00	22	74
	527/4		00	27	35
	524		00	13	04
	523		00	07	91
	522		00	06	76
	521		00	33	56
	520		00	09	52
	519		00	00	64
	517/1		00	10	38
	518		00	00	20
Bokate	200/2		00	20	24
	198/1/B		00	20	16
	197/4(197/4/5/6)		00	20	38
	197/5(197/4/5/6)		00	21	11
	196/5		00	20	60
	196/6		00	06	21
	177/3		00	35	93
	177/5		00	05	37
	129/1, 2, 3, 4		00	40	62
	128/3		00	12	30
	128/4		00	14	70
	132/1		00	21	39
	132/2		00	19	15
	132/3		00	20	86
	133/1/B		00	09	87
	133/1/A/2		00	04	68
	133/2		00	04	89
	134		00	10	64
	134/2		00	05	65
	135		00	08	46
	136		00	09	14

	137		00	09	48
	71/1		00	02	74
	70		00	33	23
	69		00	18	55
	69/2		00	04	94
	67		00	17	26
	66		00	08	86
	66/2		00	08	65
	64		00	35	31
Dugalgaon	143		00	05	35
	142		00	00	49
	141		00	13	59
	148		00	09	41
	138/1		00	11	71
	137		00	07	38
	151		00	35	11
	152		00	15	73
	35		00	12	03
	36		00	03	28
	34/1		00	28	58
	32		00	44	11
	33/B		00	00	20
	31/1, 2		00	09	17

[F. No. R-11025(11)/6/2018-OR-I/E-23678]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 15 मई, 2018

का.आ. 804.—केंद्रीय सरकार को ऐसा प्रतीत होता है कि लोक हित में यह आवश्यक है कि तेलंगाना राज्य में पेट्रोलियम उत्पादों के परिवहन के लिए पारादीप - हैदराबाद पाइपलाइन परियोजना के क्रियान्वयन हेतु इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केंद्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में जो इस से उपाबद्ध अनुसूची में वर्णित है, और जिसमें उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से, जिसको इस अधिसूचना में युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस (21) दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के

लिए उसमें उपयोग के अधिकार के संबन्ध में श्री एम. नारायणा राव, सक्षम प्राधिकारी (तेलंगाना), इंडियन ऑयल कॉर्पोरेशन लिमिटेड (पाइपलाइन प्रभाग), पारादीप-हैदराबाद पाइपलाइन परियोजना, प्लॉट संख्या 264/ए, दूसरी मंजिल, कैनरा बैंक के ऊपर, मार्ग संख्या 10, जुबिली हिल्स, हैदराबाद-500033, तेलंगाना राज्य को लिखित रूप से आक्षेप भेज सकेगा।

अनुसूची

जिला: यादाद्री भुवनगिरि

राज्य: तेलंगाना

मंडल का नाम	ग्राम का नाम	सर्वे नम्बर	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
(1)	(2)	(3)	(4)	(5)	(6)
बी. पोचमपल्ली	जिब्लक पल्लि	167/1	00	10	85
		168	00	25	72
		169	00	29	08
		176	00	20	77
		226	00	54	59
रामन्नपेट	एल्लन्कि	153	00	04	66

[फा. सं. आर-11025(11)/3/2018-ओआर-I/ई-21839]

पवन कुमार, अवर सचिव

New Delhi, the 15th May, 2018

S.O. 804.—Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of petroleum products in the State of Telangana a pipeline should be laid for implementing Paradip-Hyderabad Pipeline Project under Paradip-Hyderabad Pipeline by the Indian Oil Corporation Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person who is interested in the land described in the said schedule, may submit objection in writing to Shri. M. Narayana Rao, Competent Authority (Telangana), Indian Oil Corporation Limited (Pipelines Division), Paradip Hyderabad Pipeline Project, Plot No. 264/A, 2nd Floor, above Canara Bank, Road No. 10, Jubilee Hills, Hyderabad - 500 033 within twenty one (21) days from the date on which the copies of this notification issued under Sub-section (1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public.

SCHEDULE

District : Yadadri Bhongir

State : Telangana

Name of Mandal	Name of Village	Survey No.	Area		
			Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)
B. Pochampally	Jiblak Palle	167/1	00	10	85
		168	00	25	72
		169	00	29	08

		176	00	20	77
		226	00	54	59
Ramannapet	Yellanki	153	00	04	66

[F. No. R-11025(11)/3/2018-OR-I/E-21839]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 15 मई, 2018

का.आ. 805.—केंद्रीय सरकार को ऐसा प्रतीत होता है कि लोक हित में यह आवश्यक है कि तेलंगाना राज्य में पेट्रोलियम उत्पादों के परिवहन के लिए पारादीप - हैदराबाद पाइपलाइन परियोजना के क्रियान्वयन हेतु इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केंद्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में जो इस से उपावद्ध अनुसूची में वर्णित है, और जिसमें उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से, जिसको इस अधिसूचना में युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस (21) दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के संबन्ध में श्री एम. नारायणा राव, सक्षम प्राधिकारी (तेलंगाना), इंडियन ऑयल कॉर्पोरेशन लिमिटेड (पाइपलाइन प्रभाग), पारादीप-हैदराबाद पाइपलाइन परियोजना, प्लॉट संख्या 264/ए, दूसरी मंजिल, कैनरा बैंक के ऊपर, मार्ग संख्या 10, जुबिली हिल्स, हैदराबाद-500033, तेलंगाना राज्य को लिखित रूप से आक्षेप भेज सकेगा।

अनुसूची

जिला: नलगोंडा			राज्य: तेलंगाना		
मंडल का नाम	ग्राम का नाम	सर्वे नम्बर	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
(1)	(2)	(3)	(4)	(5)	(6)
केतेपल्ली	भीमारम	53	00	18	16
केतेपल्ली	तुंगतुर्ति	147/27	00	14	57
		147/4	00	04	38
		12	00	59	60
		19	00	34	32
		20	00	50	21
केतेपल्ली	चेरुकुपल्ली	682	00	19	16
		683	00	47	18
		472	00	18	14

		473	00	06	55
		474	00	13	69
		488	00	05	54
		489	00	02	69
		487	00	08	99
		486	00	15	91
		485	00	16	02
		484	00	19	82
		419	00	17	46
नकिरेकल	मरूर	299	00	00	04
		300	00	01	11
नार्केटपल्ली	नेम्मनि	136	00	32	81

[फा. सं. आर-11025(11)/3/2018-ओआर-I/ई-21839]

पवन कुमार, अवर सचिव

New Delhi, the 15th May, 2018

S.O. 805.—Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of petroleum products in the State of Telangana a pipeline should be laid for implementing Paradip-Hyderabad Pipeline Project under Paradip-Hyderabad Pipeline by the Indian Oil Corporation Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub Section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person who is interested in the land described in the said schedule, may submit objection in writing to Shri. M. Narayana Rao, Competent Authority (Telangana), Indian Oil Corporation Limited (Pipelines Division), Paradip Hyderabad Pipeline Project, Plot No. 264/A, 2nd Floor, above Canara Bank, Road No. 10, Jubilee Hills, Hyderabad - 500 033 within twenty one (21) days from the date on which the copies of this notification issued under Sub-section (1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public.

SCHEDULE

District : Nalgonda			State : Telangana		
Name of Mandal	Name of Village	Survey No.	Area		
			Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)
Kethepally	Bheemaram	53	00	18	16
Kethepally	Thungathurthy	147/27	00	14	57
		147/4	00	04	38

		12	00	59	60
		19	00	34	32
		20	00	50	21
Kethepally	Cherkupally	682	00	19	16
		683	00	47	18
		472	00	18	14
		473	00	06	55
		474	00	13	69
		488	00	05	54
		489	00	02	69
		487	00	08	99
		486	00	15	91
		485	00	16	02
		484	00	19	82
		419	00	17	46
Nakrekal	Marrur	299	00	00	04
		300	00	01	11
Narketpally	Nemmani	136	00	32	81

[F. No. R-11025(11)/3/2018-OR-I/E-21839]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 15 मई, 2018

का.आ. 806.—केंद्रीय सरकार को ऐसा प्रतीत होता है कि लोक हित में यह आवश्यक है कि तेलंगाना राज्य में पेट्रोलियम उत्पादों के परिवहन के लिए पारादीप - हैदराबाद पाइपलाइन परियोजना के क्रियान्वयन हेतु इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केंद्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में जो इस से ऊपाबद्ध अनुसूची में वर्णित है, और जिसमें उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से, जिसको इस अधिसूचना में युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस (21) दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के संबन्ध में श्री एम. नारायणा राव, सक्षम प्राधिकारी (तेलंगाना), इंडियन ऑयल कॉर्पोरेशन लिमिटेड (पाइपलाइन प्रभाग), पारादीप-हैदराबाद पाइपलाइन परियोजना, प्लॉट संख्या 264/ए, दूसरी मंजिल, कैनरा बैंक के ऊपर, मार्ग संख्या 10, जुबिली हिल्स, हैदराबाद-500033, तेलंगाना राज्य को लिखित रूप से आक्षेप भेज सकेगा।

अनुसूची

जिला : खम्मम			राज्य : तेलंगाना		
मंडल का नाम	ग्राम का नाम	सर्वे नम्बर	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
(1)	(2)	(3)	(4)	(5)	(6)
मधिरा	चिलकुरु	41	00	46	64
मधिरा	रायापट्टनम	342	00	37	52

[फा. सं. आर-11025(11)/3/2018-ओआर-I/ई-21839]

पवन कुमार, अवर सचिव

New Delhi, the 15th May, 2018

S.O. 806.—Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of petroleum products in the State of Telangana a pipeline should be laid for implementing Paradip-Hyderabad Pipeline Project under Paradip-Hyderabad Pipeline by the Indian Oil Corporation Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub Section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person who is interested in the land described in the said schedule, may submit objection in writing to Shri. M. Narayana Rao, Competent Authority (Telangana), Indian Oil Corporation Limited (Pipelines Division), Paradip Hyderabad Pipeline Project, Plot No. 264/A, 2nd Floor, above Canara Bank, Road No. 10, Jubilee Hills, Hyderabad - 500 033 within twenty one (21) days from the date on which the copies of this notification issued under Sub-section (1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public.

SCHEDULE

District : Khammam			State : Telangana		
Name of Mandal	Name of Village	Survey No.	Area		
			Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)
Madhira	Chilkuru	41	00	46	64
Madhira	Rayapatnam	342	00	37	52

[F. No. R-11025(11)/3/2018-OR-I/E-21839]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 15 मई, 2018

का.आ. 807.—केंद्रीय सरकार को ऐसा प्रतीत होता है कि लोक हित में यह आवश्यक है कि तेलंगाना राज्य में पेट्रोलियम उत्पादों के परिवहन के लिए पारादीप - हैदराबाद पाइपलाइन परियोजना के क्रियान्वयन हेतु इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केंद्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में जो इस से उपाबद्ध अनुसूची में वर्णित है, और जिसमें उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से, जिसको इस अधिसूचना में युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस (21) दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के संबन्ध में श्री एम. नारायणा राव, सक्षम प्राधिकारी (तेलंगाना), इंडियन ऑयल कॉर्पोरेशन लिमिटेड (पाइपलाइन प्रभाग), पारादीप-हैदराबाद पाइपलाइन परियोजना, प्लॉट संख्या 264/ए, दूसरी मंजिल, कैनरा बैंक के ऊपर, मार्ग संख्या 10, जुबिली हिल्स, हैदराबाद-500033, तेलंगाना राज्य को लिखित रूप से आक्षेप भेज सकेगा।

अनुसूची

जिला: सुर्यापेट

राज्य: तेलंगाना

मंडल का नाम	ग्राम का नाम	सर्वे नम्बर	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
(1)	(2)	(3)	(4)	(5)	(6)
चिलुकूरु	चिलुकूरु	201	00	00	53
		127	00	01	55
		377	00	07	97
मुनगाला	गणपवरम	169/5	00	00	17
पेन्पहाड़	पेन्पहाड़	94/26	00	04	09

[फा. सं. आर-11025(11)/3/2018-ओआर-I/ई-21839]

पवन कुमार, अवर सचिव

New Delhi, the 15th May, 2018

S.O. 807.—Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of petroleum products in the State of Telangana a pipeline should be laid for implementing Paradip-Hyderabad Pipeline Project under Paradip-Hyderabad Pipeline by the Indian Oil Corporation Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub Section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person who is interested in the land described in the said schedule, may submit objection in writing to Shri. M. Narayana Rao, Competent Authority (Telangana), Indian Oil Corporation Limited (Pipelines Division), Paradip Hyderabad Pipeline Project, Plot No. 264/A, 2nd Floor, above Canara Bank, Road No. 10, Jubilee Hills, Hyderabad - 500 033 within twenty one (21) days from the date on which the copies of this notification issued under Sub-section (1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public.

SCHEDULE

District : Suryapet

State : Telangana

Name of Mandal	Name of Village	Survey No.	Area		
			Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)
Chilkur	Chilkur	201	00	00	53
		127	00	01	55
		377	00	07	97
Munagala	Ganapavaram	169/5	00	00	17
Penpahad	Penpahad	94/26	00	04	09

[F. No. R-11025(11)/3/2018-OR-I/E-21839]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 15 मई, 2018

का.आ. 808.— केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) भारत के राजपत्र, (असाधारण) के अधीन जारी की गयी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का. आ 563(अ), तारीख 15 फरवरी 2017, द्वारा तमिलनाडु राज्य में एन्नोर - तिरुवल्लूर - बेंगलुरु - पांडिचेरी - नागपट्टिनम - मदुरै - टूटिकोरिन पाइपलाइन बिछाई जानी चाहिए के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड के द्वारा पाइपलाइन बिछाई जानी चाहिए;

और उक्त अधिसूचना की प्रतियाँ जनता को तारीख 01.03.2017 को उपलब्ध करा दी गई थीं।

और उक्त अधिनियम की धारा 6 की उप - धारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए।

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा(1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमि में पाइपलाइन बिछाने के लिए उपयोग का अधिकार अर्जित किया जाता है।

यह और कि केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा(4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि के उपयोग का अधिकार इस अधिसूचना के प्रकाश की तारीख से केन्द्रीय सरकार में निहित होने की बजाय, सभी विल्लंगमों से मुक्त हो कर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अधीन किसी भी क्षतिपूर्ति के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड पूर्णतया उत्तरदायी होगी और पाइपलाइन से सम्बन्धित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद, दावा या कानूनी कार्यवाही नहीं हो सकेगी।

अनुसूची

जिला : रामनाथपुरम		राज्य : तमिलनाडु				
तालुका का नाम	गाँव का नाम	सर्वेक्षण सं.	उप खण्ड सं.	क्षेत्रफल		
				हेक्टेयर	एयर	वर्ग मीटर
	1	2	3	4	5	6
कडलाडी	40 कीरंदै	251	18	00	03	70

		251	19	00	03	00
		251	17	00	10	30
		251	9बी	00	06	90
		251	10	00	01	25
		251	15ए1	00	04	90
		251	15ए2	00	00	40
		251	11	00	05	60
		256	7ए	00	02	70
		256	5	00	06	95
		256	10ए	00	00	40
		256	1	00	05	00
		258	3डी	00	04	35
		258	3बी	00	02	70
		258	3ए	00	01	00
		258	2	00	03	45
		258	1	00	02	90
		259	9बी	00	00	90
		259	10	00	07	60
		259	7	00	02	95
		259	5	00	03	90
		259	3ए	00	06	30
		259	3बी	00	04	60
		265	6	00	03	60
		265	7	00	00	40
		265	5बी	00	06	80
		265	5ए	00	09	55
		265	1	00	02	00
		270	1	00	00	40
		266	2	00	13	00
		266	3ए	00	00	40
		266	4	00	01	60
		266	5	00	05	50
		266	6ए	00	01	40
		266	7	00	01	20
		266	1बी	00	02	45
		266	1ए	00	06	00
		267	2सी3	00	04	40
		267	2सी2	00	06	15
		267	2सी1	00	05	05
		267	2ए	00	00	65

		267	4	00	00	40
		267	5	00	01	90
		150	6ए	00	09	00
		173	8ए	00	10	10
		173	7ए	00	10	80
		173	3सी	00	03	70
		173	3डी	00	03	00
		173	3ई	00	00	80
		173	2बी	00	03	50
		173	3जी	00	02	30
		173	3एच	00	02	90
		173	3आई	00	03	60
		173	3जे	00	03	45
		173	3के	00	02	90
		173	3एल	00	03	40
		172	5सी4	00	02	70
		172	5बी	00	00	40
		172	9	00	06	70
		172	7	00	11	85
		172	6ए	00	02	25
		172	6बी	00	10	00
		158	1	00	01	20
		170	5बी	00	06	50
		159	2बी	00	02	80
		159	2ए	00	04	35
		159	1सी	00	17	20
		159	1बी	00	01	35
		166	10ए1ए	00	06	40
		166	10ए1बी	00	10	00
		166	10ए1सी	00	00	90
		166	7	00	08	30
		166	8ए	00	09	70
		104	1	00	00	60
		104	2	00	13	65
		104	3	00	01	25
		78	7	00	10	45
		103	3बी	00	12	25
		103	3सी	00	03	10
		103	2बी	00	06	80
		105	1	00	01	45

		102	1बी2	00	08	00
		102	2	00	12	00
		102	3	00	13	00
		101	10	00	01	55
		106	1डी	00	00	50
		106	1सी	00	03	60
		106	1बी	00	04	35
		106	1ए	00	03	10
		110	1ए	00	11	15
		98	2बी	00	02	00
		98	1ई	00	03	30
		98	1एफ1	00	09	80
		98	1एफ2	00	02	55
		98	1एफ3	00	01	35
		113	7बी	00	00	80
		113	7ए	00	01	40
		113	4	00	04	20
		113	3सी	00	00	40
		113	5	00	05	70
		113	2	00	00	60
		113	6	00	04	45
		113	1सी2	00	07	35
		113	1सी1	00	04	85
		113	1बी	00	00	70
		116	1	00	13	00
		115	3	00	10	45
		127		00	04	60
		430	13	00	04	15
		430	14	00	09	30
		430	7	00	03	35
		430	6	00	03	85
		430	5	00	06	10
		430	4	00	00	40
		433	1	00	00	40
		432	14	00	06	90
		432	13	00	03	40
		432	11	00	06	50
		432	9	00	07	10
		432	10	00	00	45
		432	8	00	00	60

		432	6	00	00	40
		436		00	04	50
		425	1	00	26	10
		19	7	00	11	70
		2	8	00	06	95
		2	9	00	00	40
		2	10	00	13	15
		2	7	00	25	90
कडलाड़ी	23 वीरीवयल	252		00	32	60
		253	1	00	06	80
		248	2	00	20	50
		248	1	00	14	00
		249	1	00	16	75
		158	2	00	00	40
		158	1	00	13	25
		154	1सी	00	01	30
		154	1बी	00	04	45
		154	1ए	00	09	75
		153	3	00	20	90
		153	1	00	00	50
		153	2	00	27	00
		151	4	00	09	20
		151	3	00	09	55
		150	5	00	14	95
		150	2	00	11	60
		149	4	00	16	70
		149	1	00	04	50
		148		00	07	20
		147	2	00	06	70
		147	1	00	07	00
		146	2	00	07	60
		146	1	00	06	90
		145	2	00	13	70
		24	3	00	05	45
		24	24	00	01	00
		24	2सी4	00	03	70
		24	23	00	00	40
		24	2सी3	00	06	40
		24	2सी2	00	06	75
		24	2बी3	00	02	40

		24	2बी2	00	04	15
		24	2बी1	00	04	85
		24	19	00	08	80
		24	18	00	04	60
		24	17	00	07	20
		24	2ए2	00	05	20
		24	2ए1	00	09	00
		23	2	00	10	90
		22	3ई	00	05	40
		22	3एफ	00	03	20
		21	2बी2	00	00	45
		21	2बी1	00	02	25
		21	2ए2	00	03	00
		21	2ए3	00	04	20
		21	2ए1	00	06	85
		21	3ए	00	00	65
		21	1ए	00	05	75
कडलाड़ी	22 मारंदै	380		00	07	55
		382	3बी	00	03	70
		382	4बी	00	12	85
		382	4ए	00	19	50
		382	5	00	00	40
		383	1बी	00	08	65
		383	1ए	00	08	65
		384	2बी	00	09	25
		384	2ए	00	02	50
		384	3	00	18	35
		384	4	00	07	95
		385	3बी	00	11	15
		385	2	00	00	40
		385	4	00	02	50
		385	5	00	13	05
		385	6	00	00	65
		386	6	00	08	45
		386	5बी	00	00	40
		386	5सी	00	06	50
		386	5डी	00	00	60
		386	4बी	00	06	15
		387	3बी	00	15	50
		387	3ए	00	02	00

		387	2बी	00	01	00
		387	2ए	00	18	10
		387	1	00	15	50
		388	1ए	00	11	90
		388	2ए	00	12	60
		389	1	00	12	25
		389	2	00	11	90
		356	2	00	03	20
		356	1	00	10	30
		356	4ए	00	11	70
		356	4सी	00	05	25
		355	4	00	22	75
		355	3डी	00	01	90
		355	3ई	00	04	90
		352	5	00	05	80
		352	4बी	00	13	45
		352	4ए	00	04	50
		352	3	00	07	60
		352	2बी	00	04	15
		352	2ए	00	04	00
		351	5	00	08	30
		351	4सी	00	15	30
		351	3एच	00	03	00
		351	3आई	00	01	10
		351	3जे	00	00	40
		351	2ई	00	03	40
		351	2डी	00	01	65
		351	2सी	00	00	40
		350	10	00	21	60
कडलाड़ी	21 पुनवासल	236	2ए	00	19	30
		237	1	00	05	85
		237	3बी	00	02	90
		237	3ए	00	09	75
		378	3	00	09	00
		378	4ए	00	02	10
		234	4बी1	00	00	60
		234	4बी2	00	01	35
		377	1डी	00	03	20
		377	1ई	00	03	60
		377	3ए3	00	09	50

		375	1	00	02	55
		374	1ए	00	07	30
		374	3एफ	00	09	20
		374	2ए	00	04	50
		374	2बी	00	03	90
		374	3आई	00	04	75
		374	3जे	00	01	00
		374	4सी	00	03	70
		374	5ए	00	03	70
		374	5बी	00	04	60
		372	1	00	01	85
		372	2	00	00	90
		372	3	00	05	00
		371	1ए	00	05	15
		371	2ए	00	05	00
		371	2बी2	00	02	30
		371	3ए	00	06	55
		371	3बी	00	06	15
		370	1बी	00	07	20
		370	2ए	00	03	10
		370	2बी	00	01	45
		368	1	00	07	40
		368	3	00	08	85
		367	1बी1	00	11	40
		367	2	00	03	70
		366	1	00	00	40
		366	2	00	01	50
		366	3	00	02	80
		366	4	00	04	20
		366	5ए	00	04	20
		366	6ए	00	02	40
		366	5सी	00	06	20
		366	5डी	00	07	45
		421	1ए	00	22	60
		421	1डी1	00	03	65
		421	1बी2	00	20	45
		424	4	00	03	65
		425	1	00	04	75
		425	2	00	03	30
		427	1	00	01	60

		427	2	00	01	60
		427	3ए	00	02	15
		427	3बी	00	03	90
		427	4ए	00	03	70
		427	4बी	00	03	90
		426	1ए	00	02	35
		428	1	00	06	30
		428	2	00	06	30
		428	3	00	09	15
		428	5	00	12	55
		430	2ए	00	02	85
		431	2	00	04	20
		433	1ए	00	01	60
		433	1बी	00	02	40
		433	1सी	00	02	75
		433	2	00	04	80
		433	3	00	00	75
		433	4ए	00	02	75
		433	4बी1	00	01	75
		433	4बी2	00	01	75
		438	1ए1	00	06	60
		438	1बी1	00	01	60
		438	1बी2	00	04	60
		438	2बी	00	06	75
		438	3ए	00	11	90
		439	1ए	00	33	60
कडलाड़ी	18 के वेप्पनकुलम	70	3	00	04	50
		70	6	00	23	60
		70	4	00	00	40
		70	2	00	08	90
		70	1	00	07	00
		73	6ई	00	00	40
		73	6एफ	00	01	50
		73	6जी	00	03	80
		73	1एच	00	00	40
		74	3	00	00	80
		74	2	00	04	00
		74	4	00	25	00
		77	3ए1	00	06	55
		77	3ए2	00	09	10

		77	2सी	00	00	40
		77	2बी	00	02	00
		77	2ए	00	11	20
		131	4ए	00	06	35
		134	2डी	00	00	40
		134	2एफ	00	08	10
		134	3	00	03	00
		135	5	00	15	60
		135	3ए	00	03	55
		135	7बी	00	05	95
		136	2ए	00	01	25
		136	2बी	00	06	30
		136	7सी	00	05	35
		136	3बी	00	11	20
		136	6	00	03	20
		144	3	00	04	30
		144	7ए	00	07	15
		144	4बी	00	03	50
		144	4ए	00	06	80
		155	3बी	00	06	35
		155	3सी	00	02	55
		155	4ए	00	01	50
		155	4बी	00	00	40
		158	1ए4	00	04	30
		158	2	00	01	30
		158	3	00	06	35
		158	6ए	00	03	70
		158	7ए1	00	05	80
		158	1ए6	00	02	00
		158	6बी	00	03	00
		158	4बी	00	02	10
		158	1ए5	00	01	00
		160	1बी	00	03	75
		160	33	00	06	15
		160	1डी	00	06	55
		160	1ए	00	00	95
		160	1सी	00	05	10
		161	2ए2	00	08	00
		164	1	00	03	60
		164	2ए1	00	24	40

		164	4	00	00	65
		165	3एच	00	07	00
		179	3	00	04	00
		179	2	00	05	85
		179	4बी1	00	03	90
		180	4ए1	00	04	60
		180	4ए2	00	06	10
		181	7बी	00	05	65
		186	2	00	13	70
		186	3	00	01	65
		186	4	00	10	90
		190	1	00	09	35
		190	2	00	11	10
		191	6ए2	00	04	30
		191	7ए	00	00	40
		191	5बी	00	01	50
		191	6ए1	00	05	90
		200	4	00	00	40
		200	6	00	00	40
		200	5	00	03	50
		200	7ए	00	00	95
		200	8	00	12	10
कडलाड़ी	19 आप्पनूर	319	1ए	00	16	20
		319	1बी	00	10	35
		319	2	00	05	20
		339	1	00	08	60
		340	1	00	01	65
		340	2	00	24	45
		340	4	00	09	00
		344	3	00	22	00
		344	2	00	06	40
		351	3सी	00	09	90
		351	1ए	00	11	00
		350	2बी	00	20	00
		350	2ए	00	00	40
		350	3	00	27	75
		358	1ए	00	08	70
		348	5बी	00	04	00
		348	5ए	00	04	00
		348	4बी	00	06	75

		348	4ए	00	07	00
		348	3बी	00	00	65
		359	3बी	00	05	25
		359	3ए	00	05	30
कडलाड़ी	17 मखर करिसलकुलम	297	2	00	33	50
		295	2बी	00	13	00
		295	2ए	00	07	10
		294	2	00	07	60
		301	1	00	01	30
		293	2	00	28	75
		303	2	00	06	80
		303	3बी	00	13	00
		303	4	00	16	65
		311	1बी	00	00	40
		311	1ए	00	07	40
		304	2	00	15	15
		304	1बी2	00	06	00
		304	1बी1	00	07	00
		304	1ए4	00	00	40
		308	1	00	11	55
		308	2	00	11	15
		284	3	00	05	10
		283	1ए1	00	04	70
		283	1ए2	00	04	35
		283	1ए3	00	05	05
		283	1ए4	00	04	00
		283	1ए5	00	01	50
		283	1ए6	00	00	40
		282	2बी	00	04	85
		282	1बी	00	09	55
		282	1ए	00	03	00
		277	1ए	00	00	90
		281	2सी	00	00	65
		280	3	00	11	00
		280	2	00	09	75
		280	1ए2	00	00	40
		280	1ए3	00	08	10
		280	1बी	00	03	60
		176	2	00	10	80

		175	14बी	00	01	65
		175	14ए	00	00	40
		175	14सी	00	06	60
		175	13	00	07	40
		180	5बी	00	09	60
		177	3बी	00	04	85
		177	3ए	00	07	75
		177	1ए	00	00	50
		177	1बी	00	10	70
		178	10ए	00	08	30
		178	9बी	00	00	40
		178	8	00	08	25
		178	2	00	00	95
		178	3	00	07	70
		178	1	00	07	20
		199	2	00	10	65
		200	3	00	18	90
		200	2	00	13	90
		200	1बी	00	06	00
		200	1ए2	00	06	85
		201	3	00	09	30
		201	2	00	09	35
		201	1	00	13	15
		138	1	00	06	85
		139	2सी	00	00	40
		139	3ए	00	11	65
		139	3बी	00	25	55
		132	3ए	00	01	75
		132	1ए	00	02	80
		131	16	00	02	40
		131	14बी	00	03	40
		131	14ए	00	03	80
		131	13	00	07	20
		131	12ए	00	03	40
		131	12बी	00	05	50
		131	1बी	00	01	50
		131	1ए	00	00	40
		131	2बी	00	09	35
		131	2ए	00	01	00
		131	3	00	00	75

		140	2सी	00	04	70
		126	2सी	00	03	10
		126	2डी	00	01	05
		126	2बी1	00	02	35
		126	2ए	00	02	20
		126	3बी	00	04	05
		126	3ए	00	02	70
		126	4ए	00	12	00
		126	4बी1	00	00	60
		126	1	00	00	40
		125	1एच	00	33	50
		124	4बी2	00	00	50
		124	5सी	00	02	75
		124	5बी	00	02	75
		124	5ए	00	03	00
		124	2बी	00	04	95
		124	6ए	00	03	75
		124	1	00	03	15
		109	17ए	00	00	75
		109	19	00	01	20
		109	17बी1	00	05	80
		109	9बी	00	02	25
		109	9सी	00	02	25
		109	5सी	00	03	15
		109	10	00	01	25
		109	11	00	01	95
		109	5बी	00	06	15
		109	1बी	00	03	70
		109	3	00	01	00
		109	2	00	03	80
		108	2सी2	00	03	00
		108	2बी	00	02	15
		108	2ए5	00	00	75
		106	17ए2	00	00	40
		106	17ए1	00	00	40
		106	17बी	00	09	70
		106	2	00	04	65
		106	1सी	00	01	70
		106	1डी	00	04	40
		106	1बी	00	04	40

		106	5	00	00	65
		103	4बी	00	06	50
		103	7	00	03	40
		103	5बी	00	04	00
		103	5सी	00	05	85
		100	2	00	07	00
		100	3बी	00	00	40
		100	3ए	00	02	85
		100	1बी	00	02	60
		100	5ए1	00	06	15
		100	5ए2	00	02	85
		99	3	00	11	75
		99	5	00	00	50
		99	4डी	00	00	75
		99	4ई	00	06	30
		99	4ए	00	01	60
		87	4	00	06	30
		87	2सी	00	12	25
		87	2ए	00	07	20
		87	1	00	12	80
		87	3ए	00	03	80
कडलाड़ी	15 एस वागैकुलम	6	1ए	00	31	80
		6	2ए/2	00	00	65
		6	2ए1	00	04	90
		6	2सी	00	03	00
		6	2डी	00	00	40
		7	3बी	00	00	40
		7	3सी	00	02	30
		7	3डी	00	07	15
		7	3ई	00	02	85
		7	3जी	00	04	95
		7	2ई	00	04	25
		7	2ए	00	04	50
		7	1एफ	00	04	45
		7	1बी	00	00	40
		7	1सी	00	03	55
		7	1डी	00	00	95
		5	2बी	00	05	10
		5	2ए	00	03	85
		5	3डी	00	00	40

		4	3	00	17	40
		3	7	00	24	55
		3	2	00	20	50
		3	1ए1बी	00	05	50
		19		00	20	40
कडलाड़ी	3 अवतान्डै	81	2	00	31	50
		88		00	00	45
		90	3	00	01	20
		90	5	00	07	00
		91	2	00	18	50
		91	1	00	18	75
		92	2	00	03	45
		92	1	00	16	60
		95	2	00	02	00
		95	1	00	07	25
		96	3	00	11	55
		96	1	00	25	65
		97	16	00	00	40
		183	10ए	00	10	00
		183	10बी	00	05	10
		183	3	00	04	25
		183	7	00	00	40
		186	8	00	05	10
		186	6	00	01	40
		186	1बी	00	06	50
		186	7	00	00	60
		186	10	00	04	50
		187	5	00	00	40
		187	6	00	04	50
		187	3	00	04	75
		187	7	00	02	10
		190	1	00	06	50
		191	12	00	02	00
		191	9	00	03	00
		191	10	00	08	70
		191	8	00	00	40
		191	13/बी	00	17	45
		207	4	00	02	65
		207	1	00	03	45
		208	4	00	01	35

		208	7	00	04	70
		208	5	00	03	60
		208	6	00	03	60
		209	7	00	08	25
		209	6	00	00	70
		209	8	00	13	70
		211	3	00	05	60
		211	4	00	00	60
		211	2	00	04	50
		213	7	00	08	25
		213	5	00	05	35
		213	9	00	00	70
		213	4	00	05	50
		213	8	00	02	60
		213	6	00	08	80
		213	3सी	00	02	00
		213	3डी	00	06	80
		279	1	00	11	60
		280	4	00	07	25
		280	1	00	07	45
		280	3	00	06	40
		280	2	00	13	40
		281	6	00	00	40
		281	5बी2	00	00	55
		282	1ए	00	19	40
		282	1सी1	00	09	50
		282	1बी	00	09	75
		283	1	00	38	00
		285	7	00	06	40
		305	2	00	13	30
		306	8	00	10	00
		306	7	00	00	40
		306	3	00	07	55
		306	9	00	01	60
		306	5	00	06	00
		306	4	00	01	75
		306	6	00	10	80
		306	2	00	00	90
		307	1	00	16	00
		307	2	00	09	65

		312	4बी	00	00	40
		312	4ए	00	02	65
		312	3	00	08	10
		316	6बी	00	12	40
		316	5	00	02	60
		338	1	00	27	50
		338	2ए	00	00	60
		339	3	00	05	00
		339	2	00	16	00
		339	6	00	06	30
		339	5	00	07	40
		339	1बी	00	00	40
		339	7ए	00	07	75
		344	1	00	12	80
		344	2	00	09	50
		344	3	00	00	40
		345	2	00	00	40
		345	9	00	06	00
		346	3	00	14	70
		346	2	00	15	50
		347	2	00	09	25
		347	4ए	00	00	60
		347	3बी	00	03	70
		347	3ए	00	14	40
		347	1	00	06	50
		348	1	00	22	50
		349		00	00	40
कडलाड़ी	4 ए नेडुंकुलम	45	8	00	00	40
		45	9	00	04	00
		45	10	00	03	50
		45	11	00	07	20
		45	14	00	07	30
		45	6ए	00	03	15
		45	6बी	00	06	00
		45	7ए	00	03	65
		45	7बी	00	00	70
		46	9	00	01	65
		46	8ए	00	03	50
		46	8बी	00	01	70
		50	7	00	07	90

		50	8	00	07	65
		50	6ए	00	02	30
		50	6बी	00	04	65
		50	9ए	00	05	50
		50	9बी	00	04	90
		57	1	00	10	60
		57	4	00	08	00
		57	5	00	00	40
		59	5	00	11	30
		59	6ए	00	09	00
		59	6बी	00	08	10
		61	1	00	21	25
		61	2	00	07	70
		61	3	00	01	60
		63	2	00	11	75
		63	1ए	00	00	60
		63	1बी	00	13	00
		63	3बी	00	00	40
		108	3	00	04	75
		108	1ए	00	07	90
		108	2ए	00	02	75
		109	2	00	08	80
		109	1ए	00	07	30
		109	1बी	00	00	40
		109	4ए	00	09	50
		110	1बी	00	08	20
		110	2बी	00	09	75
		110	3बी	00	01	25
		113	2ए	00	03	75
		113	2बी	00	00	40
		113	3डी	00	00	70
		113	3ई	00	06	40
		113	3एफ	00	01	10
		114	3	00	03	10
		114	4	00	04	10
		114	6	00	03	00
		114	11	00	01	20
		114	1बी	00	04	85
		114	1सी	00	06	80
		114	7ए1	00	01	90

		114	7ए2	00	06	80
		115	1ए	00	01	00
		115	1बी	00	01	00
		116	5	00	04	00
		116	6ए	00	01	00
		116	6बी	00	04	40
		116	8	00	08	40
		116	9	00	11	10
		116	11	00	01	15
		116	4ए	00	03	70
		116	4बी	00	04	70
		120	15	00	08	90
		130	11	00	23	50
		132	7	00	04	90
		132	2बी	00	04	60
		132	8बी2	00	03	70
		134	6बी	00	00	60
		134	6डी	00	01	85
		134	6ई	00	04	20
		134	6एच	00	09	95
		135	4	00	03	85
		135	5	00	02	20
		135	6	00	04	65
		135	7	00	04	05
		135	8	00	04	60
		172	16	00	00	40
		172	17	00	03	20
		172	21	00	06	50
		172	22	00	04	95
		172	1सी	00	04	40
		172	1डी	00	01	00
		173	6	00	09	75
		173	3ई	00	00	40
		173	4बी	00	03	50
		173	5बी1	00	00	45
		173	5बी2	00	03	75
		173	5सी	00	00	55
		174	15	00	24	45
		174	14सी	00	00	40
		175	10	00	01	25

		211	2	00	03	65
		211	3बी	00	04	55
		211	3सी	00	06	60
		211	3डी	00	06	70
		211	4ए	00	00	80
		211	5ए	00	03	10
		211	6ए	00	05	40
		212	3	00	07	55
		212	1सी	00	04	05
		212	6बी1	00	02	20
		212	6बी2	00	07	90
		213	10	00	03	20
		213	6ए	00	00	55
		213	6बी	00	03	25
		213	7ए	00	07	00
		213	7बी	00	01	30
		213	8ए	00	03	60
		213	9ए	00	04	20
		226	2	00	00	40
		226	4	00	10	90
		226	8	00	04	60
		226	7ए	00	07	60
		226	7बी	00	00	40
		226	9बी1	00	02	70
		226	9बी2	00	02	60
		230	2	00	18	65
		230	1ए4	00	10	00
		230	1बी1	00	30	20
		230	1बी2	00	08	00
		231	2	00	11	30
		231	3	00	05	40
		231	1बी	00	00	40
		231	1सी	00	04	90
		231	1डी	00	05	80
		231	1ई	00	03	40
		234		00	01	25
कडलाड़ी	66 कोक्करसन कोट्टे	464	3	00	04	35
		453	1	00	00	80
		457	1बी	00	03	45
		457	1ए1	00	05	90

		457	1ए2	00	06	25
		457	2	00	29	40
		452	2	00	14	75
		450	2	00	00	40
		450	1	00	20	90
		449	5	00	05	60
		449	7बी	00	00	40
		449	4	00	05	55
		449	7ए	00	04	70
		449	3	00	13	70
		449	2बी	00	00	40
		447	7सी	00	00	40
		448	2	00	07	95
		448	1	00	05	80
		448	4ए	00	03	75
		448	4बी	00	04	75
		448	4सी	00	04	55
		448	4डी	00	05	50
		433	8ए	00	08	85
		433	8बी	00	00	85
		433	7	00	09	15
		433	2	00	09	10
		433	1	00	00	45
		430	1	00	03	70
		430	3	00	25	60
कडलाड़ी	7 कोंडुनल्लानपट्टी	105	7ए	00	00	40
		105	6	00	04	90
		106	5बी1	00	00	40
		106	5बी2	00	07	40
		106	4	00	08	65
		106	3	00	06	50
		118	2ए	00	18	90
		118	2बी	00	03	50
		118	4ए	00	08	70
		118	5ए	00	02	90
		118	1	00	03	55
		118	3	00	01	10
		124	3बी	00	13	50
		127	4	00	01	10
		127	1	00	00	45

		127	2	00	25	90
		127	3	00	08	30
		132	2	00	07	20
		132	1क्यू	00	06	00
		134	1ए	00	23	65
		137	5	00	29	60
		140	2सी	00	16	20
		140	2डी	00	05	30
		140	2बी	00	02	30
		140	3	00	07	70
		212	5	00	06	65
		212	4ए	00	00	65
		212	6	00	05	90
		212	4बी	00	05	00
		212	3	00	06	00
		212	1बी	00	09	70
		212	1ए	00	02	90
		212	2	00	02	10
		214	3	00	12	60
		214	1बी	00	09	45
		214	4बी	00	00	40
		214	2	00	10	80
		214	4ए	00	09	10
		219	6बी	00	01	10
		220	1	00	25	10
		220	2	00	11	70
		220	4	00	02	30
		220	3	00	12	80
		221	1	00	01	65
		221	3बी	00	06	70
		221	3ए	00	07	10
		229	1	00	11	60
		230	2बी	00	13	70
		230	2ए	00	12	00
		231	3बी	00	06	25
		231	2	00	01	30
		231	3ए	00	11	60
		232	1डी	00	00	40
		232	3बी	00	20	70
		232	1बी	00	14	50

		232	1सी	00	08	80
		233	2	00	11	00
		324	4	00	00	70
		326	3ए2	00	09	00
		326	3ए1	00	06	50
		326	3ए4	00	09	25
		326	3ए3	00	08	85
		326	3बी	00	22	05
		332	2	00	11	00
		333	3डी2	00	11	50
		333	5बी	00	04	20
		349	1ए1	00	15	70
		350	1ए	00	16	85
		350	1बी	00	00	40
		350	1सी	00	09	80
		350	2ए	00	02	10
		351	2बी3	00	10	10
		353	1	00	41	00
मुदुकुलचूर	8 मेल सिरपोतु	266	2ए	00	05	25
		266	2बी	00	04	90
		266	3ए	00	04	85
		266	3बी	00	05	15
		267	2ए	00	11	75
		269	1ए	00	07	55
		269	1बी	00	07	55
		269	2ए	00	04	15
		269	2बी	00	04	35
		269	3ए	00	08	30
		270	1बी	00	03	90
		270	2ए	00	03	85
		270	3सी	00	00	50
		271	1ए	00	08	95
		289	1ए	00	04	45
		289	1बी	00	04	45
		289	1सी	00	04	45
		289	1डी	00	05	10
		289	3ए	00	02	50
		289	3बी	00	06	85
		291	1ए	00	03	45
		290	7	00	19	35

		290	13ए	00	04	40
		290	13बी	00	04	40
		290	13सी	00	07	60
		290	12बी	00	00	40
		290	12सी	00	01	10
कुमुदी	47 एम पुदुक्कुलम	1	12	00	02	80
		1	13	00	07	90

[फा. सं. आर-11025(11)/99/2017-ओआर-I/ई-8030]

पवन कुमार, अवर सचिव

New Delhi, the 15th May, 2018

S.O. 808.—Whereas, by the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 563(E) dated: 15.02.2017 issued under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (herein after referred to as the said Act) the Central Government declared its intention to acquire the Right of User in the Lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transportation of Natural Gas, a pipeline “Ennore-Tiruvallur -Bengaluru -Pondicherry -Nagapattinam –Madurai- Tuticorin” should be laid in the State of Tamil Nadu by Indian Oil Corporation Limited.

And whereas, copies of the said notifications were made available to the public from 01.03.2017.

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has submitted his report to the Central Government;

And whereas, the Central Government, after considering the said report is satisfied that the Right of User in the Land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the Right of User in the said Land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the Right of User in the said Land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited free from all encumbrances.

Indian Oil Corporation Limited shall be exclusively liable for any compensation in terms of section 10 of the P & M P Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to pipeline.

SCHEDULE

District : Ramanathapuram		State : Tamil Nadu				
Name of the Taluk	Name of the Village	Survey No.	Sub Division No.	Area		
				Hectare	Are	Square Meter
	1	2	3	4	5	6
Kadaladi	40 Keerandai	251	18	00	03	70
		251	19	00	03	00
		251	17	00	10	30
		251	9B	00	06	90
		251	10	00	01	25

		251	15A1	00	04	90
		251	15A2	00	00	40
		251	11	00	05	60
		256	7A	00	02	70
		256	5	00	06	95
		256	10A	00	00	40
		256	1	00	05	00
		258	3D	00	04	35
		258	3B	00	02	70
		258	3A	00	01	00
		258	2	00	03	45
		258	1	00	02	90
		259	9B	00	00	90
		259	10	00	07	60
		259	7	00	02	95
		259	5	00	03	90
		259	3A	00	06	30
		259	3B	00	04	60
		265	6	00	03	60
		265	7	00	00	40
		265	5B	00	06	80
		265	5A	00	09	55
		265	1	00	02	00
		270	1	00	00	40
		266	2	00	13	00
		266	3A	00	00	40
		266	4	00	01	60
		266	5	00	05	50
		266	6A	00	01	40
		266	7	00	01	20
		266	1B	00	02	45
		266	1A	00	06	00
		267	2C3	00	04	40
		267	2C2	00	06	15
		267	2C1	00	05	05
		267	2A	00	00	65
		267	4	00	00	40
		267	5	00	01	90
		150	6A	00	09	00

		173	8A	00	10	10
		173	7A	00	10	80
		173	3C	00	03	70
		173	3D	00	03	00
		173	3E	00	00	80
		173	2B	00	03	50
		173	3G	00	02	30
		173	3H	00	02	90
		173	3I	00	03	60
		173	3J	00	03	45
		173	3K	00	02	90
		173	3L	00	03	40
		172	5C4	00	02	70
		172	5B	00	00	40
		172	9	00	06	70
		172	7	00	11	85
		172	6A	00	02	25
		172	6B	00	10	00
		158	1	00	01	20
		170	5B	00	06	50
		159	2B	00	02	80
		159	2A	00	04	35
		159	1C	00	17	20
		159	1B	00	01	35
		166	10A1A	00	06	40
		166	10A1B	00	10	00
		166	10A1C	00	00	90
		166	7	00	08	30
		166	8A	00	09	70
		104	1	00	00	60
		104	2	00	13	65
		104	3	00	01	25
		78	7	00	10	45
		103	3B	00	12	25
		103	3C	00	03	10
		103	2B	00	06	80
		105	1	00	01	45
		102	1B2	00	08	00
		102	2	00	12	00

		102	3	00	13	00
		101	10	00	01	55
		106	1D	00	00	50
		106	1C	00	03	60
		106	1B	00	04	35
		106	1A	00	03	10
		110	1A	00	11	15
		98	2B	00	02	00
		98	1E	00	03	30
		98	1F1	00	09	80
		98	1F2	00	02	55
		98	1F3	00	01	35
		113	7B	00	00	80
		113	7A	00	01	40
		113	4	00	04	20
		113	3C	00	00	40
		113	5	00	05	70
		113	2	00	00	60
		113	6	00	04	45
		113	1C2	00	07	35
		113	1C1	00	04	85
		113	1B	00	00	70
		116	1	00	13	00
		115	3	00	10	45
		127		00	04	60
		430	13	00	04	15
		430	14	00	09	30
		430	7	00	03	35
		430	6	00	03	85
		430	5	00	06	10
		430	4	00	00	40
		433	1	00	00	40
		432	14	00	06	90
		432	13	00	03	40
		432	11	00	06	50
		432	9	00	07	10
		432	10	00	00	45
		432	8	00	00	60
		432	6	00	00	40

		436		00	04	50
		425	1	00	26	10
		19	7	00	11	70
		2	8	00	06	95
		2	9	00	00	40
		2	10	00	13	15
		2	7	00	25	90
Kadaladi	23 Orivayal	252		00	32	60
		253	1	00	06	80
		248	2	00	20	50
		248	1	00	14	00
		249	1	00	16	75
		158	2	00	00	40
		158	1	00	13	25
		154	1C	00	01	30
		154	1B	00	04	45
		154	1A	00	09	75
		153	3	00	20	90
		153	1	00	00	50
		153	2	00	27	00
		151	4	00	09	20
		151	3	00	09	55
		150	5	00	14	95
		150	2	00	11	60
		149	4	00	16	70
		149	1	00	04	50
		148		00	07	20
		147	2	00	06	70
		147	1	00	07	00
		146	2	00	07	60
		146	1	00	06	90
		145	2	00	13	70
		24	3	00	05	45
		24	24	00	01	00
		24	2C4	00	03	70
		24	23	00	00	40
		24	2C3	00	06	40
		24	2C2	00	06	75
		24	2B3	00	02	40

		24	2B2	00	04	15
		24	2B1	00	04	85
		24	19	00	08	80
		24	18	00	04	60
		24	17	00	07	20
		24	2A2	00	05	20
		24	2A1	00	09	00
		23	2	00	10	90
		22	3E	00	05	40
		22	3F	00	03	20
		21	2B2	00	00	45
		21	2B1	00	02	25
		21	2A2	00	03	00
		21	2A3	00	04	20
		21	2A1	00	06	85
		21	3A	00	00	65
		21	1A	00	05	75
Kadaladi	22 Marandai	380		00	07	55
		382	3B	00	03	70
		382	4B	00	12	85
		382	4A	00	19	50
		382	5	00	00	40
		383	1B	00	08	65
		383	1A	00	08	65
		384	2B	00	09	25
		384	2A	00	02	50
		384	3	00	18	35
		384	4	00	07	95
		385	3B	00	11	15
		385	2	00	00	40
		385	4	00	02	50
		385	5	00	13	05
		385	6	00	00	65
		386	6	00	08	45
		386	5B	00	00	40
		386	5C	00	06	50
		386	5D	00	00	60
		386	4B	00	06	15
		387	3B	00	15	50

		387	3A	00	02	00
		387	2B	00	01	00
		387	2A	00	18	10
		387	1	00	15	50
		388	1A	00	11	90
		388	2A	00	12	60
		389	1	00	12	25
		389	2	00	11	90
		356	2	00	03	20
		356	1	00	10	30
		356	4A	00	11	70
		356	4C	00	05	25
		355	4	00	22	75
		355	3D	00	01	90
		355	3E	00	04	90
		352	5	00	05	80
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		352	4A	00	04	50
		352	3	00	07	60
		352	2B	00	04	15
		352	2A	00	04	00
		351	5	00	08	30
		351	4C	00	15	30
		351	3H	00	03	00
		351	3I	00	01	10
		351	3J	00	00	40
		351	2E	00	03	40
		351	2D	00	01	65
		351	2C	00	00	40
		350	10	00	21	60
Kadaladi	21 Punavasal	236	2A	00	19	30
		237	1	00	05	85
		237	3B	00	02	90
		237	3A	00	09	75
		378	3	00	09	00
		378	4A	00	02	10
		234	4B1	00	00	60
		234	4B2	00	01	35
		377	1D	00	03	20

		377	1E	00	03	60
		377	3A3	00	09	50
		375	1	00	02	55
		374	1A	00	07	30
		374	3F	00	09	20
		374	2A	00	04	50
		374	2B	00	03	90
		374	3I	00	04	75
		374	3J	00	01	00
		374	4C	00	03	70
		374	5A	00	03	70
		374	5B	00	04	60
		372	1	00	01	85
		372	2	00	00	90
		372	3	00	05	00
		371	1A	00	05	15
		371	2A	00	05	00
		371	2B2	00	02	30
		371	3A	00	06	55
		371	3B	00	06	15
		370	1B	00	07	20
		370	2A	00	03	10
		370	2B	00	01	45
		368	1	00	07	40
		368	3	00	08	85
		367	1B1	00	11	40
		367	2	00	03	70
		366	1	00	00	40
		366	2	00	01	50
		366	3	00	02	80
		366	4	00	04	20
		366	5A	00	04	20
		366	6A	00	02	40
		366	5C	00	06	20
		366	5D	00	07	45
		421	1A	00	22	60
		421	1D1	00	03	65
		421	1B2	00	20	45
		424	4	00	03	65

		425	1	00	04	75
		425	2	00	03	30
		427	1	00	01	60
		427	2	00	01	60
		427	3A	00	02	15
		427	3B	00	03	90
		427	4A	00	03	70
		427	4B	00	03	90
		426	1A	00	02	35
		428	1	00	06	30
		428	2	00	06	30
		428	3	00	09	15
		428	5	00	12	55
		430	2A	00	02	85
		431	2	00	04	20
		433	1A	00	01	60
		433	1B	00	02	40
		433	1C	00	02	75
		433	2	00	04	80
		433	3	00	00	75
		433	4A	00	02	75
		433	4B1	00	01	75
		433	4B2	00	01	75
		438	1A1	00	06	60
		438	1B1	00	01	60
		438	1B2	00	04	60
		438	2B	00	06	75
		438	3A	00	11	90
		439	1A	00	33	60
Kadaladi	18 K Veppangulam	70	3	00	04	50
		70	6	00	23	60
		70	4	00	00	40
		70	2	00	08	90
		70	1	00	07	00
		73	6E	00	00	40
		73	6F	00	01	50
		73	6G	00	03	80
		73	1H	00	00	40
		74	3	00	00	80

		74	2	00	04	00
		74	4	00	25	00
		77	3A1	00	06	55
		77	3A2	00	09	10
		77	2C	00	00	40
		77	2B	00	02	00
		77	2A	00	11	20
		131	4A	00	06	35
		134	2D	00	00	40
		134	2F	00	08	10
		134	3	00	03	00
		135	5	00	15	60
		135	3A	00	03	55
		135	7B	00	05	95
		136	2A	00	01	25
		136	2B	00	06	30
		136	7C	00	05	35
		136	3B	00	11	20
		136	6	00	03	20
		144	3	00	04	30
		144	7A	00	07	15
		144	4B	00	03	50
		144	4A	00	06	80
		155	3B	00	06	35
		155	3C	00	02	55
		155	4A	00	01	50
		155	4B	00	00	40
		158	1A4	00	04	30
		158	2	00	01	30
		158	3	00	06	35
		158	6A	00	03	70
		158	7A1	00	05	80
		158	1A6	00	02	00
		158	6B	00	03	00
		158	4B	00	02	10
		158	1A5	00	01	00
		160	1B	00	03	75
		160	33	00	06	15
		160	1D	00	06	55

		160	1A	00	00	95
		160	1C	00	05	10
		161	2A2	00	08	00
		164	1	00	03	60
		164	2A1	00	24	40
		164	4	00	00	65
		165	3H	00	07	00
		179	3	00	04	00
		179	2	00	05	85
		179	4B1	00	03	90
		180	4A1	00	04	60
		180	4A2	00	06	10
		181	7B	00	05	65
		186	2	00	13	70
		186	3	00	01	65
		186	4	00	10	90
		190	1	00	09	35
		190	2	00	11	10
		191	6A2	00	04	30
		191	7A	00	00	40
		191	5B	00	01	50
		191	6A1	00	05	90
		200	4	00	00	40
		200	6	00	00	40
		200	5	00	03	50
		200	7A	00	00	95
		200	8	00	12	10
Kadaladi	19 Appanur	319	1A	00	16	20
		319	1B	00	10	35
		319	2	00	05	20
		339	1	00	08	60
		340	1	00	01	65
		340	2	00	24	45
		340	4	00	09	00
		344	3	00	22	00
		344	2	00	06	40
		351	3C	00	09	90
		351	1A	00	11	00
		350	2B	00	20	00

		350	2A	00	00	40
		350	3	00	27	75
		358	1A	00	08	70
		348	5B	00	04	00
		348	5A	00	04	00
		348	4B	00	06	75
		348	4A	00	07	00
		348	3B	00	00	65
		359	3B	00	05	25
		359	3A	00	05	30
Kadaladi	17 Maravar Karisalkulam	297	2	00	33	50
		295	2B	00	13	00
		295	2A	00	07	10
		294	2	00	07	60
		301	1	00	01	30
		293	2	00	28	75
		303	2	00	06	80
		303	3B	00	13	00
		303	4	00	16	65
		311	1B	00	00	40
		311	1A	00	07	40
		304	2	00	15	15
		304	1B2	00	06	00
		304	1B1	00	07	00
		304	1A4	00	00	40
		308	1	00	11	55
		308	2	00	11	15
		284	3	00	05	10
		283	1A1	00	04	70
		283	1A2	00	04	35
		283	1A3	00	05	05
		283	1A4	00	04	00
		283	1A5	00	01	50
		283	1A6	00	00	40
		282	2B	00	04	85
		282	1B	00	09	55
		282	1A	00	03	00
		277	1A	00	00	90

		281	2C	00	00	65
		280	3	00	11	00
		280	2	00	09	75
		280	1A2	00	00	40
		280	1A3	00	08	10
		280	1B	00	03	60
		176	2	00	10	80
		175	14B	00	01	65
		175	14A	00	00	40
		175	14C	00	06	60
		175	13	00	07	40
		180	5B	00	09	60
		177	3B	00	04	85
		177	3A	00	07	75
		177	1A	00	00	50
		177	1B	00	10	70
		178	10A	00	08	30
		178	9B	00	00	40
		178	8	00	08	25
		178	2	00	00	95
		178	3	00	07	70
		178	1	00	07	20
		199	2	00	10	65
		200	3	00	18	90
		200	2	00	13	90
		200	1B	00	06	00
		200	1A2	00	06	85
		201	3	00	09	30
		201	2	00	09	35
		201	1	00	13	15
		138	1	00	06	85
		139	2C	00	00	40
		139	3A	00	11	65
		139	3B	00	25	55
		132	3A	00	01	75
		132	1A	00	02	80
		131	16	00	02	40
		131	14B	00	03	40

		131	14A	00	03	80
		131	13	00	07	20
		131	12A	00	03	40
		131	12B	00	05	50
		131	1B	00	01	50
		131	1A	00	00	40
		131	2B	00	09	35
		131	2A	00	01	00
		131	3	00	00	75
		140	2C	00	04	70
		126	2C	00	03	10
		126	2D	00	01	05
		126	2B1	00	02	35
		126	2A	00	02	20
		126	3B	00	04	05
		126	3A	00	02	70
		126	4A	00	12	00
		126	4B1	00	00	60
		126	1	00	00	40
		125	1H	00	33	50
		124	4B2	00	00	50
		124	5C	00	02	75
		124	5B	00	02	75
		124	5A	00	03	00
		124	2B	00	04	95
		124	6A	00	03	75
		124	1	00	03	15
		109	17A	00	00	75
		109	19	00	01	20
		109	17B1	00	05	80
		109	9B	00	02	25
		109	9C	00	02	25
		109	5C	00	03	15
		109	10	00	01	25
		109	11	00	01	95
		109	5B	00	06	15
		109	1B	00	03	70
		109	3	00	01	00

		109	2	00	03	80
		108	2C2	00	03	00
		108	2B	00	02	15
		108	2A5	00	00	75
		106	17A2	00	00	40
		106	17A1	00	00	40
		106	17B	00	09	70
		106	2	00	04	65
		106	1C	00	01	70
		106	1D	00	04	40
		106	1B	00	04	40
		106	5	00	00	65
		103	4B	00	06	50
		103	7	00	03	40
		103	5B	00	04	00
		103	5C	00	05	85
		100	2	00	07	00
		100	3B	00	00	40
		100	3A	00	02	85
		100	1B	00	02	60
		100	5A1	00	06	15
		100	5A2	00	02	85
		99	3	00	11	75
		99	5	00	00	50
		99	4D	00	00	75
		99	4E	00	06	30
		99	4A	00	01	60
		87	4	00	06	30
		87	2C	00	12	25
		87	2A	00	07	20
		87	1	00	12	80
		87	3A	00	03	80
Kadaladi	15 S Vagaikkulam	6	1A	00	31	80
		6	2A/2	00	00	65
		6	2A1	00	04	90
		6	2C	00	03	00
		6	2D	00	00	40
		7	3B	00	00	40

		7	3C	00	02	30
		7	3D	00	07	15
		7	3E	00	02	85
		7	3G	00	04	95
		7	2E	00	04	25
		7	2A	00	04	50
		7	1F	00	04	45
		7	1B	00	00	40
		7	1C	00	03	55
		7	1D	00	00	95
		5	2B	00	05	10
		5	2A	00	03	85
		5	3D	00	00	40
		4	3	00	17	40
		3	7	00	24	55
		3	2	00	20	50
		3	1A1B	00	05	50
		19		00	20	40
Kadaladi	3 Avathandai	81	2	00	31	50
		88		00	00	45
		90	3	00	01	20
		90	5	00	07	00
		91	2	00	18	50
		91	1	00	18	75
		92	2	00	03	45
		92	1	00	16	60
		95	2	00	02	00
		95	1	00	07	25
		96	3	00	11	55
		96	1	00	25	65
		97	16	00	00	40
		183	10A	00	10	00
		183	10B	00	05	10
		183	3	00	04	25
		183	7	00	00	40
		186	8	00	05	10
		186	6	00	01	40
		186	1B	00	06	50

		186	7	00	00	60
		186	10	00	04	50
		187	5	00	00	40
		187	6	00	04	50
		187	3	00	04	75
		187	7	00	02	10
		190	1	00	06	50
		191	12	00	02	00
		191	9	00	03	00
		191	10	00	08	70
		191	8	00	00	40
		191	13/B	00	17	45
		207	4	00	02	65
		207	1	00	03	45
		208	4	00	01	35
		208	7	00	04	70
		208	5	00	03	60
		208	6	00	03	60
		209	7	00	08	25
		209	6	00	00	70
		209	8	00	13	70
		211	3	00	05	60
		211	4	00	00	60
		211	2	00	04	50
		213	7	00	08	25
		213	5	00	05	35
		213	9	00	00	70
		213	4	00	05	50
		213	8	00	02	60
		213	6	00	08	80
		213	3C	00	02	00
		213	3D	00	06	80
		279	1	00	11	60
		280	4	00	07	25
		280	1	00	07	45
		280	3	00	06	40
		280	2	00	13	40
		281	6	00	00	40

		281	5B2	00	00	55
		282	1A	00	19	40
		282	1C1	00	09	50
		282	1B	00	09	75
		283	1	00	38	00
		285	7	00	06	40
		305	2	00	13	30
		306	8	00	10	00
		306	7	00	00	40
		306	3	00	07	55
		306	9	00	01	60
		306	5	00	06	00
		306	4	00	01	75
		306	6	00	10	80
		306	2	00	00	90
		307	1	00	16	00
		307	2	00	09	65
		312	4B	00	00	40
		312	4A	00	02	65
		312	3	00	08	10
		316	6B	00	12	40
		316	5	00	02	60
		338	1	00	27	50
		338	2A	00	00	60
		339	3	00	05	00
		339	2	00	16	00
		339	6	00	06	30
		339	5	00	07	40
		339	1B	00	00	40
		339	7A	00	07	75
		344	1	00	12	80
		344	2	00	09	50
		344	3	00	00	40
		345	2	00	00	40
		345	9	00	06	00
		346	3	00	14	70
		346	2	00	15	50
		347	2	00	09	25

		347	4A	00	00	60
		347	3B	00	03	70
		347	3A	00	14	40
		347	1	00	06	50
		348	1	00	22	50
		349		00	00	40
Kadaladi	4 A Nedunkulam	45	8	00	00	40
		45	9	00	04	00
		45	10	00	03	50
		45	11	00	07	20
		45	14	00	07	30
		45	6A	00	03	15
		45	6B	00	06	00
		45	7A	00	03	65
		45	7B	00	00	70
		46	9	00	01	65
		46	8A	00	03	50
		46	8B	00	01	70
		50	7	00	07	90
		50	8	00	07	65
		50	6A	00	02	30
		50	6B	00	04	65
		50	9A	00	05	50
		50	9B	00	04	90
		57	1	00	10	60
		57	4	00	08	00
		57	5	00	00	40
		59	5	00	11	30
		59	6A	00	09	00
		59	6B	00	08	10
		61	1	00	21	25
		61	2	00	07	70
		61	3	00	01	60
		63	2	00	11	75
		63	1A	00	00	60
		63	1B	00	13	00
		63	3B	00	00	40
		108	3	00	04	75

		108	1A	00	07	90
		108	2A	00	02	75
		109	2	00	08	80
		109	1A	00	07	30
		109	1B	00	00	40
		109	4A	00	09	50
		110	1B	00	08	20
		110	2B	00	09	75
		110	3B	00	01	25
		113	2A	00	03	75
		113	2B	00	00	40
		113	3D	00	00	70
		113	3E	00	06	40
		113	3F	00	01	10
		114	3	00	03	10
		114	4	00	04	10
		114	6	00	03	00
		114	11	00	01	20
		114	1B	00	04	85
		114	1C	00	06	80
		114	7A1	00	01	90
		114	7A2	00	06	80
		115	1A	00	01	00
		115	1B	00	01	00
		116	5	00	04	00
		116	6A	00	01	00
		116	6B	00	04	40
		116	8	00	08	40
		116	9	00	11	10
		116	11	00	01	15
		116	4A	00	03	70
		116	4B	00	04	70
		120	15	00	08	90
		130	11	00	23	50
		132	7	00	04	90
		132	2B	00	04	60
		132	8B2	00	03	70
		134	6B	00	00	60

		134	6D	00	01	85
		134	6E	00	04	20
		134	6H	00	09	95
		135	4	00	03	85
		135	5	00	02	20
		135	6	00	04	65
		135	7	00	04	05
		135	8	00	04	60
		172	16	00	00	40
		172	17	00	03	20
		172	21	00	06	50
		172	22	00	04	95
		172	1C	00	04	40
		172	1D	00	01	00
		173	6	00	09	75
		173	3E	00	00	40
		173	4B	00	03	50
		173	5B1	00	00	45
		173	5B2	00	03	75
		173	5C	00	00	55
		174	15	00	24	45
		174	14C	00	00	40
		175	10	00	01	25
		211	2	00	03	65
		211	3B	00	04	55
		211	3C	00	06	60
		211	3D	00	06	70
		211	4A	00	00	80
		211	5A	00	03	10
		211	6A	00	05	40
		212	3	00	07	55
		212	1C	00	04	05
		212	6B1	00	02	20
		212	6B2	00	07	90
		213	10	00	03	20
		213	6A	00	00	55
		213	6B	00	03	25
		213	7A	00	07	00
		213	7B	00	01	30

		213	8A	00	03	60
		213	9A	00	04	20
		226	2	00	00	40
		226	4	00	10	90
		226	8	00	04	60
		226	7A	00	07	60
		226	7B	00	00	40
		226	9B1	00	02	70
		226	9B2	00	02	60
		230	2	00	18	65
		230	1A4	00	10	00
		230	1B1	00	30	20
		230	1B2	00	08	00
		231	2	00	11	30
		231	3	00	05	40
		231	1B	00	00	40
		231	1C	00	04	90
		231	1D	00	05	80
		231	1E	00	03	40
		234		00	01	25
Kadaladi	66 Kokkarasan Kottai	464	3	00	04	35
		453	1	00	00	80
		457	1B	00	03	45
		457	1A1	00	05	90
		457	1A2	00	06	25
		457	2	00	29	40
		452	2	00	14	75
		450	2	00	00	40
		450	1	00	20	90
		449	5	00	05	60
		449	7B	00	00	40
		449	4	00	05	55
		449	7A	00	04	70
		449	3	00	13	70
		449	2B	00	00	40
		447	7C	00	00	40
		448	2	00	07	95
		448	1	00	05	80
		448	4A	00	03	75

		448	4B	00	04	75
		448	4C	00	04	55
		448	4D	00	05	50
		433	8A	00	08	85
		433	8B	00	00	85
		433	7	00	09	15
		433	2	00	09	10
		433	1	00	00	45
		430	1	00	03	70
		430	3	00	25	60
Kadaladi	7 Kondunallanpatti	105	7A	00	00	40
		105	6	00	04	90
		106	5B1	00	00	40
		106	5B2	00	07	40
		106	4	00	08	65
		106	3	00	06	50
		118	2A	00	18	90
		118	2B	00	03	50
		118	4A	00	08	70
		118	5A	00	02	90
		118	1	00	03	55
		118	3	00	01	10
		124	3B	00	13	50
		127	4	00	01	10
		127	1	00	00	45
		127	2	00	25	90
		127	3	00	08	30
		132	2	00	07	20
		132	1Q	00	06	00
		134	1A	00	23	65
		137	5	00	29	60
		140	2C	00	16	20
		140	2D	00	05	30
		140	2B	00	02	30
		140	3	00	07	70
		212	5	00	06	65
		212	4A	00	00	65
		212	6	00	05	90
		212	4B	00	05	00

		212	3	00	06	00
		212	1B	00	09	70
		212	1A	00	02	90
		212	2	00	02	10
		214	3	00	12	60
		214	1B	00	09	45
		214	4B	00	00	40
		214	2	00	10	80
		214	4A	00	09	10
		219	6B	00	01	10
		220	1	00	25	10
		220	2	00	11	70
		220	4	00	02	30
		220	3	00	12	80
		221	1	00	01	65
		221	3B	00	06	70
		221	3A	00	07	10
		229	1	00	11	60
		230	2B	00	13	70
		230	2A	00	12	00
		231	3B	00	06	25
		231	2	00	01	30
		231	3A	00	11	60
		232	1D	00	00	40
		232	3B	00	20	70
		232	1B	00	14	50
		232	1C	00	08	80
		233	2	00	11	00
		324	4	00	00	70
		326	3A2	00	09	00
		326	3A1	00	06	50
		326	3A4	00	09	25
		326	3A3	00	08	85
		326	3B	00	22	05
		332	2	00	11	00
		333	3D2	00	11	50
		333	5B	00	04	20
		349	1A1	00	15	70
		350	1A	00	16	85

		350	1B	00	00	40
		350	1C	00	09	80
		350	2A	00	02	10
		351	2B3	00	10	10
		353	1	00	41	00
Mudukulathur	8 Mela Sirupothu	266	2A	00	05	25
		266	2B	00	04	90
		266	3A	00	04	85
		266	3B	00	05	15
		267	2A	00	11	75
		269	1A	00	07	55
		269	1B	00	07	55
		269	2A	00	04	15
		269	2B	00	04	35
		269	3A	00	08	30
		270	1B	00	03	90
		270	2A	00	03	85
		270	3C	00	00	50
		271	1A	00	08	95
		289	1A	00	04	45
		289	1B	00	04	45
		289	1C	00	04	45
		289	1D	00	05	10
		289	3A	00	02	50
		289	3B	00	06	85
		291	1A	00	03	45
		290	7	00	19	35
		290	13A	00	04	40
		290	13B	00	04	40
		290	13C	00	07	60
		290	12B	00	00	40
		290	12C	00	01	10
Kamuthi	47 M. Pudukulam	1	12	00	02	80
		1	13	00	07	90

[F. No. R-11025(11)/99/2017-OR-I/E-8030]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 15 मई, 2018

का.आ. 809.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 6 की उप-धारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2383 तारीख 29.09.2017 में, जो भारत के राजपत्र, भाग II, खण्ड 3, उपखण्ड (ii), भारत का राजपत्र सं. 41 में पृष्ठ 7903 और 7906 में प्रकाशित की गई थी, में निम्नलिखित संशोधन करती है, अर्थात:-

पृष्ठ 7903 (हिंदी अधिसूचना) और 7906 (अंग्रेजी अधिसूचना) में, “44. सडयंकुप्पम” गांव के संबंध में “तालुक-पोन्नेरी, जिला-तिरुवल्लूर, राज्य-तमिलनाडु” की जगह “तालुक- तिरुवोट्टियूर, जिला-तिरुवल्लूर, राज्य-तमिलनाडु” के रूप में पढ़ा जाए।

अधिसूचना का शेष विषय अपरिवर्तित रहेंगे।

[फा. सं. आर-11025(11)/99/2017-ओआर-I/ई-8030]

पवन कुमार, अवर सचिव

New Delhi, the 15th May, 2018

S.O. 809.—In exercise of the powers conferred by Sub section (1) of Section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2383 dated the 29.09.2017, published in Part- II, Section 3, Sub section (ii) of the Gazette of India, No.41, at page No.7903 and 7906 namely:-

In Page 7903 (Hindi Notification) and in Page 7906 (English Notification) for the Village “44.Sadayankuppam” of “Taluk- Ponneri, District- Tiruvallur, State-Tamil Nadu” may be read as “44.Sadayankuppam” of “Taluk- Thiruvottiyur, District- Tiruvallur, State-Tamil Nadu”

The other contents of the notification remain unaltered.

[F. No. R-11025(11)/99/2017-OR-I/E-8030]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 15 मई, 2018

का.आ. 810.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) भारत के राजपत्र, (असाधारण) के अधीन जारी की गयी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 334(अ), तारीख 27 जनवरी 2017, द्वारा तमिलनाडु राज्य में एन्नोर - तिरुवल्लूर - बेंगलुरु - पांडिचेरी - नागपट्टिनम - मदुरै - टूटिकोरिन पाइपलाइन बिछाई जानी चाहिए के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड के द्वारा पाइपलाइन बिछाई जानी चाहिए;

और उक्त अधिसूचना की प्रतियाँ जनता को तारीख 09.02.2017 को उपलब्ध करा दी गई थी।

और उक्त अधिनियम की धारा 6 की उप - धारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए।

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा(1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमि में पाइपलाइन बिछाने के लिए उपयोग का अधिकार अर्जित किया जाता है।

यह और कि केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा(4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि के उपयोग का अधिकार इस अधिसूचना के प्रकाश की तारीख से केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त हो कर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

पैट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अधीन किसी भी क्षतिपूर्ति के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड पूर्णतया उत्तरदायी होगी और पाइपलाइन से सम्बन्धित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद दावा या कानूनी कार्यवाही नहीं हो सकेगी।

अनुसूची

जिला : रामनाथपुरम		राज्य : तमिलनाडू				
तालुका का नाम	गाँव का नाम	सर्वेक्षण सं.	उप खण्ड सं.	क्षेत्रफल		
				हेक्टेर	एयर	वर्ग मीटर
1	2	3	4	5	6	7
रामनाथपुरम	53 बालान्तरवै	202	4	00	01	80
		202	5बी	00	08	65
		96	4ए	00	14	75
		96	5ए	00	08	90
		96	3	00	17	00
		96	2	00	00	40
		96	1	00	01	30
		95	6डी	00	00	40
		95	6ई	00	00	40
		95	7	00	10	70
		95	3	00	01	45
		95	2	00	05	50
		95	1	00	07	00
		98	2	00	11	90
		99	9	00	14	95
		99	8	00	03	10
		99	5	00	04	70
		99	4	00	02	35
		99	3	00	02	30
		99	1	00	08	30
		88	5सी	00	03	95
		88	4सी	00	03	90
		100	1	00	26	40
		100	2ए	00	01	40
		101	5ए	00	13	30
		101	4बी2	00	00	40
		101	5बी	00	15	60
		101	5सी	00	01	35

		101	3	00	05	25
		101	6ए	00	13	50
		102	2	00	08	80
		102	3	00	17	60
		102	4ए	00	07	00
		109	5बी	00	12	10
		109	5ए2	00	08	45
		109	5ए1	00	06	10
		110	9बी	00	04	70
		110	9ए	00	04	80
		114	2बी1	00	11	50
		114	2ए1	00	05	20
		114	2ए2	00	00	40
		114	1बी2	00	10	30
		115	3ए	00	06	25
		115	2	00	10	45
		113	4	00	16	80
		113	5ए	00	02	85
		112	3	00	11	50
		112	2ई	00	02	15
		112	2सी	00	02	70
		112	2बी	00	02	35
		112	2ए	00	02	30
		112	1बी	00	08	10
रामनाथपुरम	52 कुयवनकुडी	181	6सी	00	09	90
		181	6बी2	00	08	95
		182	1बी	00	08	95
		182	2	00	08	85
		182	3	00	07	00
		183	3	00	21	60
		183	2	00	10	90
		183	4बी	00	10	50
		184	1बी2	00	19	00
		184	1बी1	00	04	10

		185	3सी	00	15	80
		185	3बी	00	18	25
		189	1	00	06	35
		189	2बी	00	04	90
		189	2ए	00	03	50
		190	1ए1	00	07	95
		190	1ए2	00	01	95
		168	4सी	00	05	70
		167	1ए	00	12	15
		167	3बी1	00	01	15
		167	3बी2ए	00	09	40
		167	3बी2बी	00	02	00
		167	3ए	00	06	75
		166	1सी	00	00	40
		166	1बी	00	09	70
		166	2ए2	00	05	15
		166	2ए1	00	00	80
		166	3ए	00	09	30
		166	4	00	22	30
रामनाथपुरम	46 सक्करकोट्टे	355	2	00	04	50
		355	3	00	07	50
		355	1ए1	00	06	60
		354	2	00	02	70
		354	1	00	03	55
		351	9	00	00	85
		351	12	00	05	45
		351	11सी	00	05	45
		351	11ए	00	05	25
		351	5	00	07	90
		351	2ए	00	06	50
		351	3ए	00	06	60
		351	3बी	00	05	30
		361	1ए	00	01	90
		361	1बी	00	10	65
		361	2	00	00	40

		361	1सी	00	00	40
		347	1	00	01	25
		347	2ए	00	23	20
		347	2बी	00	12	00
		362	2	00	02	35
		362	3बी	00	06	75
		362	4	00	07	20
		363	1ए	00	03	25
		363	1बी	00	03	30
		363	2	00	07	70
		363	3	00	06	45
		537	3बी	00	12	95
		536	4	00	04	50
		536	8ए	00	16	40
		536	8बी1	00	00	40
		536	6	00	07	40
		536	7	00	00	65
		535	3	00	14	50
		534	1	00	12	30
		534	3	00	06	50
		526	3ए	00	05	00
		526	3बी	00	04	20
		526	2ए	00	05	85
		526	1बी	00	00	40
		527	1	00	01	50
		527	2	00	02	30
		527	4बी	00	03	15
		527	5	00	04	15
		527	3ए1	00	00	65
		527	3ए2	00	02	50
		527	3बी	00	03	20
		527	3सी	00	03	55
		527	3डी	00	03	50
		528	3	00	08	20
		528	4ए	00	04	40

		528	4बी	00	04	30
		528	5	00	08	35
		528	6	00	08	55
		528	7	00	08	00
		528	8सी	00	04	25
		528	9-1	00	03	70
		528	9-2	00	03	35
		529	1	00	06	45
		529	2	00	05	90
		529	3	00	05	70
		529	4	00	05	55
		529	5	00	06	55
		502	1ए	00	15	30
		502	3ए	00	20	35
		504	1बी1ए1	00	28	65
		504	2ए1ए	00	05	30
		504	2ए1बी	00	05	00
		504	2बी	00	05	15
		504	3ए	00	05	30
		504	3बी	00	04	10
		504	4	00	06	90
		506	1	00	05	70
		506	2	00	03	80
		506	3	00	03	95
		506	4ए4	00	03	85
		506	4सी	00	03	75
		506	4बी	00	03	20
		506	4डी	00	03	70
		506	4ई	00	01	60
		500	1	00	02	00
		499	1ए	00	08	80
		499	2	00	11	35
		499	3ए	00	11	10
कीलकरै	47 कुदक्कोट्टै	19	6	00	01	70

		19	5	00	09	60
		19	4	00	00	80
		20	1सी	00	04	55
		20	1ई	00	02	80
		20	1जे	00	00	60
		20	1आई	00	02	80
		20	1एच	00	00	85
		20	1के	00	03	70
		20	1ओ	00	03	30
		20	1एन	00	00	95
		20	1आर	00	01	15
		20	1एस	00	02	45
		20	1यु	00	02	70
		20	1इजत	00	01	65
		20	1बी	00	00	90
		20	1वाई	00	00	60
		20	1एक्स	00	01	70
		20	1डबल्यू	00	00	80
		20	2ए	00	01	30
		21	1ए	00	02	10
		21	1बी	00	11	40
		21	1ई	00	00	60
		21	1ई	00	01	65
		21	1सी	00	05	80
		25	1	00	00	85
		26	1ए1	00	06	80
		26	1बी	00	02	70
		26	1सी	00	03	20
		26	2ए	00	03	60
		26	2बी	00	02	70
		27	2ए4	00	04	35
		27	2बी	00	05	45
		27	2सी	00	06	45
		27	4ए	00	13	60

		28	6बी	00	15	10
		28	6ए	00	19	40
		30	8सी	00	00	90
		38	3ए	00	12	10
		38	4ए	00	08	00
		38	4सी1	00	10	10
		39	2	00	15	30
		39	3जी	00	04	10
		39	3आई	00	04	45
		39	3जे	00	08	40
		39	3एल	00	01	65
		39	5	00	03	00
		42	5	00	00	60
		43	7ए	00	02	00
		43	1ए	00	07	10
		43	2	00	06	00
		43	3ए	00	01	25
		151	1ई	00	06	80
		151	2ए3	00	03	65
		151	1सी	00	01	90
		151	2ए2	00	00	60
		151	2सी	00	00	60
		151	2ई2	00	02	70
		151	2ई2	00	02	25
		151	3ए2	00	04	50
		151	5	00	02	55
		151	3बी1	00	01	45
		151	4ए2	00	00	60
		151	4ए1	00	00	60
		152	2बी2	00	00	80
		152	2बी1	00	01	10
		153	1जी	00	00	65
		153	1ई	00	02	80
		153	1ई	00	03	00
		153	1एफ	00	03	25

		153	2ए	00	08	45
		153	3बी	00	09	00
		153	4	00	10	10
		153	5ई	00	03	40
		153	5सी	00	03	00
		153	5के1	00	04	80
		153	5के2	00	01	10
		155	11	00	01	90
		155	14ए	00	00	40
		155	15ए	00	00	60
		155	13ए	00	02	30
		155	4बी2	00	00	80
		155	4ई	00	04	30
		156	1ए	00	05	50
		156	1बी	00	07	90
कीलकरै	46 तिरुप्पुल्लानी	67	2	00	00	75
		67	1ए	00	07	20
		67	1बी	00	01	90
		66	5ए	00	04	75
		66	5बी	00	01	90
		65	8ई	00	00	70
		65	9जी2	00	05	00
		65	9एच	00	00	40
		65	9एफ	00	00	70
		65	9ई	00	05	45
		65	10	00	00	60
		65	9ई	00	00	90
		65	9सी	00	07	20
		65	9बी	00	03	30
		69	3ए3	00	10	20
		69	1बी	00	02	45
		69	1सी	00	06	70
		69	2	00	18	40
		62	4बी	00	00	60
		70	1	00	08	50

		70	2	00	01	10
		59	4	00	11	00
		59	5ए	00	03	55
		59	5बी	00	04	40
		59	6	00	10	75
		59	7ए	00	04	30
		59	7बी	00	02	80
		59	3	00	01	95
		58	5	00	00	60
		58	2बी	00	05	20
		58	2सी	00	00	60
		58	2ए	00	03	60
		58	3ए	00	01	50
		58	1	00	11	90
		48		00	02	00
		50	12	00	17	85
		52	6	00	02	80
		52	5	00	14	00
		52	7	00	00	60
		52	3	00	00	60
		53	1बी	00	02	55
		53	2	00	01	45
		53	3	00	05	00
		53	4	00	14	00
		53	5ए	00	03	00
		53	5बी	00	03	20
		53	6	00	02	95
		42	1ए	00	08	30
		42	1बी	00	07	85
		42	2बी	00	01	50
		42	2सी	00	01	45
		42	3ए	00	02	60
		42	4	00	03	20
		42	5	00	02	80
		42	6	00	02	70

		42	7	00	01	90
		42	8ए	00	00	60
		43	4जे1	00	06	30
		43	4जे2	00	00	60
		43	4आई2	00	06	20
		43	4एच2	00	02	90
		41		00	09	80
		78		00	18	40
		79		00	01	60
		124	1ए2	00	11	60
		124	1ए1	00	07	10
		128	2	00	23	75
		137	9	00	03	05
		137	13	00	10	35
		137	14	00	07	95
		136	2ए2	00	03	55
		136	2बी	00	08	90
		137	15	00	08	65
		137	16	00	09	55
		136	1जी	00	00	85
		135	3	00	07	60
		135	2	00	10	00
		135	1	00	07	40
		149	2एफ	00	00	60
		149	2जी	00	03	10
		149	2एच	00	05	10
		149	2आई	00	03	75
		149	3ए	00	02	60
		149	1एफ	00	09	00
		149	1सी	00	02	80
		149	1ई	00	07	20
		157	5	00	18	55
		158	11	00	00	60
		158	9सी	00	07	00
		158	8	00	08	40

		158	7	00	09	20
		158	6बी	00	09	40
		158	5	00	02	90
		158	4	00	03	40
		158	3	00	02	10
		158	2ई	00	00	40
		162	2सी2	00	00	60
		162	2बी2	00	05	30
		162	2ए2	00	04	65
		162	2ए1	00	05	30
		162	1एफ	00	02	90
		162	1ई	00	00	95
		162	1डी	00	00	60
		171	1	00	16	95
		174		00	17	60
		175		01	24	00
कीलकरै	42 कलरी	392	9	00	15	75
		392	10	00	01	10
		392	8	00	09	80
		392	1बी3	00	07	20
		375	5बी	00	13	45
		375	5ए	00	06	80
		375	2	00	06	70
		374	5	00	06	80
		374	3	00	12	60
		374	2बी	00	09	35
		374	1सी	00	04	20
		376	1ए	00	00	60
		377	7ई	00	01	10
		377	7डी	00	01	60
		377	7सी	00	01	40
		377	7बी	00	01	85
		377	6बी	00	07	70
		377	6ए	00	09	45
		373	5बी	00	01	00

		373	5ए	00	00	60
		377	1	00	06	50
		350	1	00	04	60
		350	2	00	13	60
		350	3	00	01	05
		349	4ए	00	04	50
		349	7	00	04	00
		349	6	00	04	30
		349	5	00	08	50
		349	9	00	10	50
		345	1	00	01	05
		346	7	00	09	00
		346	6बी	00	04	10
		346	6ए	00	05	00
		346	5	00	09	30
		346	4	00	19	20
		341	4	00	10	65
		341	2	00	07	10
		341	3बी	00	05	90
		341	3ए	00	13	20
		340	9	00	03	90
		331	1	00	08	50
		292	4	00	08	20
		292	3	00	08	20
		292	2	00	08	90
		287	1	00	03	50
		288	2	00	13	20
		288	1	00	13	90
		290	2ए	00	06	10
		290	1	00	20	00
		277	2बी	00	15	80
		278	4	00	11	65
		278	1	00	19	20
		266	2बी	00	05	10
		266	2सी	00	12	30

		266	3	00	13	00
		266	4	00	12	25
		264	1	00	03	20
		262	5	00	22	10
		262	6ए	00	02	20
		261	11सी	00	00	45
कीलकरै	41 कुलपदम	99	1	00	00	80
		100	1	00	16	00
		98	2सी2	00	00	80
		98	7	00	08	85
		98	9	00	05	55
		98	8	00	06	50
		97	2बी	00	04	20
		97	2ए	00	06	40
		97	1	00	05	70
		2	7	00	01	30
		2	6	00	04	50
		2	8ए	00	02	40
		2	8बी	00	04	00
		3	3ए	00	07	20
		3	3बी	00	08	30
		3	8	00	19	20
		4	5	00	00	80
		4	4	00	16	80
		16	3	00	05	50
		17	3ए	00	12	20
		17	3बी	00	01	00
		17	2	00	14	40
		17	1	00	02	70
		18	1	00	07	60
		19	7	00	06	00
		19	10	00	09	60
		21	3ए	00	07	25
		21	2	00	00	80

		21	3बी	00	04	20
		21	4बी	00	06	75
		21	7	00	06	95
		24	3	00	00	80
		24	1बी	00	10	10
		24	2	00	01	50
		30	2	00	05	75
		30	5बी	00	02	00
		30	4	00	00	80
		30	5सी	00	02	20
		30	5ई	00	03	20
		30	7	00	01	00
		30	6	00	07	80
		29	1	00	11	10
		33	4ए	00	05	10
		33	4बी	00	12	80
		33	5	00	10	80
		33	2	00	03	20
		34	2ए2	00	14	10
		34	2बी	00	07	30
		37	5	00	15	15
		37	4	00	00	95
		36	3सी	00	00	80
		36	2बी	00	07	80
		36	2ए	00	09	20
		36	1ए	00	13	00
		36	1बी	00	15	75
		40	4ए	00	09	55
		40	3ए	00	05	40
		39		00	06	30
		40	2	00	06	10
		40	1	00	20	20
		45	1ए	00	07	10
कीलकरै	33 वेलनूर	90	1	00	04	55
		90	2	00	05	25

		90	3	00	03	35
		90	4	00	04	85
		89	1	00	06	05
		89	4	00	08	25
		89	5	00	05	45
		91	1	00	24	20
		87	1ई1	00	10	25
		87	2ए	00	12	90
		87	2बी	00	11	25
		87	2ई	00	07	95
		86	2	00	03	30
		86	3ई	00	04	30
		84		00	16	45
		83	3	00	13	15
		83	4	00	11	90
		85	1	00	02	10
		85	2	00	00	40
		81	2	00	42	45
		110	2	00	28	20
		110	1	00	08	00
		111	1	00	13	20
		111	4	00	00	40
		111	3	00	06	40
		76	1	00	05	45
		76	2	00	29	55
		76	3	00	14	35
		118	1ए	00	10	35
		119	2	00	00	60
		119	3	00	10	80
		120	1	00	15	60
		120	3	00	21	80
		120	2	00	06	80
		121	1	00	14	10
		121	2	00	14	50
		122	2	00	17	30

		122	3	00	08	65
		122	4	00	08	85
		124	1	00	07	70
		124	2ए	00	01	60
		124	3	00	00	40
		123	2	00	00	50
		123	3ए	00	06	40
		123	3बी	00	05	00
		123	3सी	00	02	40
		123	4ए	00	01	85
		123	4बी	00	04	75
		123	4सी	00	04	65
		126	1	00	24	45
		127	2ए	00	05	90
		127	3	00	08	15
		129	1ए	00	07	00
		129	1बी	00	02	50
		129	2बी	00	05	00
		129	2सी	00	02	00
		129	3ए	00	00	70
		129	3बी	00	00	40
		128	1बी	00	12	30
		128	3	00	06	80
		128	4सी	00	01	10
		134	3	00	02	05
		134	2	00	04	40
		134	4	00	06	90
		134	9	00	04	50
		134	8	00	00	40
		134	7ए	00	01	30
		134	7बी	00	07	75
		135	1सी	00	10	25
		135	2बी	00	04	65
		155	7ए	00	00	45
		156	2ई	00	06	40

		156	2सी	00	00	90
		156	3	00	10	70
		156	6	00	11	85
		156	7ए	00	04	00
		156	7बी	00	03	80
		156	7सी	00	03	90
		157	1ए	00	03	00
		157	1बी	00	03	10
		157	2	00	06	25
		157	4ए	00	01	50
		157	5	00	04	20
		157	6	00	02	60
		157	7	00	04	10
		157	8/बी	00	04	00
		157	8/ए	00	00	40
		157	8/सी	00	05	30
		164	2ए	00	01	20
		164	2बी	00	04	90
		164	7	00	10	80
		164	8ए	00	00	70
		164	6	00	21	80
		163	4	00	03	00
		165	5	00	00	40
		165	6/बी	00	00	85
		165	7/बी	00	01	60
		165	8	00	11	10
		166	2ए	00	00	40
		166	1ए	00	08	40
		166	1बी	00	04	75
		166	3ए	00	00	40
		220	1ए	00	04	40
		221	9बी	00	05	30
		221	2	00	05	00
		221	5	00	07	10
		221	7	00	02	80

		222	10बी	00	01	40
		222	10ए	00	13	85
		222	9	00	12	65
		222	8	00	04	45
		222	6बी	00	00	40
		238	1ए	00	08	30
		238	1बी	00	01	50
		224	1ए1	00	22	25
		226	1ए	00	06	60
		226	1बी	00	06	45
		226	2ए	00	05	80
		226	3ए	00	02	80
		229	2ए	00	16	90
कीलकरै	32 पनैयडियेन्दल	34	3	00	07	90
		34	4	00	04	50
		35	2	00	04	65
		35	3ई	00	09	10
		43	1	00	11	20
		43	2ई	00	00	40
		43	2सी	00	04	85
		43	2बी	00	08	45
		43	2ए	00	05	70
		43	2एच	00	02	25
		45		00	11	95
		46	1बी	00	00	40
		46	1सी	00	02	80
		46	2ई	00	06	25
		46	3	00	07	20
		49	1ए	00	03	10
		49	1बी	00	03	20
		49	1सी	00	03	20
		49	1ई	00	04	40
		49	1ई	00	04	70
		49	1एफ	00	03	80
		49	1जी	00	01	50

		47	1ए6	00	04	10
		49	1एच	00	00	40
		47	1बी2	00	05	10
		47	1बी3ए	00	04	50
		47	1बी3बी	00	04	90
		47	12	00	01	15
		47	13	00	00	60
		47	14	00	00	40
		47	2सी	00	00	40
		47	11	00	12	00
		47	2ई	00	01	80
		47	2ई	00	01	40
		56	7ए	00	03	10
		56	7बी	00	01	95
		56	7सी	00	02	20
		56	7ई	00	02	00
		56	6ए	00	08	10
		56	4ए	00	02	40
		56	4बी	00	04	20
		56	4सी	00	00	40
		56	4ई	00	05	05
		55	1	00	09	90
		57	5	00	00	40
		57	6	00	00	70
		57	7	00	01	70
		57	10सी	00	02	60
		57	10बी	00	05	40
		58	4	00	09	30
		58	3बी	00	07	60
		165	6	00	03	30
		165	5	00	05	90
		165	1सी	00	00	40
		165	7	00	00	50
		165	4बी	00	12	00
		165	4ए	00	00	40

		155	8	00	09	10
		155	9	00	08	50
		155	10बी	00	04	95
		155	10सी	00	01	90
		154	12	00	06	90
		157	1	00	02	50
		157	2	00	04	80
		154	13	00	02	10
		157	3	00	08	00
		153	15	00	11	50
		153	16बी	00	11	40
		141	7ए	00	08	30
		141	5	00	03	20
		141	8ए	00	00	40
		141	6बी	00	10	40
		140	1	00	00	40
		139	2	00	04	70
		139	3सी	00	04	95
		139	9	00	00	40
		139	8	00	09	70
		139	7	00	05	00
		138	2बी	00	00	95
		138	2ए	00	03	55
		138	6ए	00	02	30
		138	6बी	00	02	25
		138	8ए	00	02	40
		138	8बी	00	01	60
		138	9	00	04	35
		137	1ए	00	28	20
		203	2	00	32	80
		232	4	00	27	50
		231	2बी	00	03	60
		231	3ए	00	03	50
		231	3बी	00	03	55
		230	1	00	08	90

		230	2	00	08	95
		230	3ए1	00	09	80
		230	3ए2	00	12	95
		230	3बी	00	11	80
		230	3सी	00	15	95
		220	1	00	11	65
		220	2ए	00	03	55
		220	2बी	00	03	10
		220	3	00	05	25
		220	4	00	05	20
		220	7	00	14	20
		220	8ए	00	05	10
		220	9ए	00	04	90
		220	10ए	00	04	85
कडलाड़ी	50 सिक्कल	259	5ई	00	00	80
		260	1	00	15	40
		260	2	00	06	15
		258	4सी	00	09	35
		261		00	32	40
		248	2	00	00	40
		248	5	00	02	60
		248	6	00	05	40
		248	10	00	05	40
		248	8	00	15	40
		248	9	00	01	20
		247	4	00	04	50
		247	3	00	04	50
		247	2	00	04	70
		247	1	00	05	00
		50	1ए1	00	02	90
		50	1ए2	00	09	00
		49	2सी	00	06	85
		49	2ई3	00	15	40
		49	2ई5	00	00	40
		49	2ई4	00	06	25

		49	2डी2	00	00	40
		51	1ए	00	18	00
		52	1ए	00	17	20
		52	1बी	00	00	40
कडलाड़ी	42 पनिवासल	300	2	00	26	65
		300	7	00	04	00
		300	3	00	07	20
		300	4	00	10	45
		299	6बी	00	00	80
		294	1	00	12	25
		294	2	00	00	50
		293	5	00	01	70
		293	4	00	13	30
		295	6ए	00	04	20
		295	6बी	00	14	70
		295	5	00	00	40
		295	1सी	00	11	50
		296	3	00	07	20
		296	4	00	00	40
		296	6	00	03	00
		296	5	00	10	50
		289	8	00	00	40
		289	7	00	03	00
		289	1	00	12	00
		289	2ए	00	00	80
		282	10	00	08	30
		284	3	00	06	00
		284	2	00	06	00
		284	1	00	00	40
		284	4	00	08	30
		284	5	00	02	30
		283	8बी	00	11	50
		283	7	00	01	30
		283	6	00	10	80
		283	5	00	03	25

		331	4	00	01	30
		331	2	00	06	70
		331	1	00	08	50
		272	7	00	03	80
		273	1	00	08	20
		250	10	00	18	20
		247	2ई	00	02	20
		247	2एफ	00	04	85
		247	2जी	00	04	20
		247	2एच	00	07	60
		247	2आई	00	00	65
		247	2के	00	12	15
		247	2एल	00	00	70
कडलाड़ी	41 पेयकुलम	49	2	00	17	70
		49	1	00	15	50
		48	4ए	00	01	30
		48	4बी	00	04	00
		48	3सी	00	07	60
		50	1ए	00	00	40
		51	9	00	07	10
		51	3सी	00	03	30
		51	3बी	00	01	00
		51	3ई	00	02	80
		51	3ई2	00	01	80
		51	3ई1	00	03	80
		51	8ए	00	00	70
		51	4बी	00	12	55
		51	4ए	00	00	45
		51	6ए	00	00	40
		51	5ए	00	13	80
		53	2सी	00	00	70
		53	3ए	00	00	40
		53	2ई	00	15	10
		53	2ई	00	07	60

		57	8	00	07	50
		57	9ए	00	00	40
		57	7ए	00	06	10
		57	7बी	00	07	20
		57	3ई	00	05	60
		57	3सी	00	00	40
		57	6बी2	00	00	40
		57	6बी1	00	00	80
		57	4	00	02	75
		57	6ए	00	05	90
		57	5ए	00	04	90
		57	5बी	00	05	40
		70	5ए	00	10	80
		70	4बी	00	03	60
		70	2	00	11	90
		70	3ए	00	01	30
		70	3बी	00	00	40
		56		00	00	40
		72	1बी	00	07	40
		72	1ए	00	00	60
		72	1सी	00	11	70
		76	14	00	00	40
		76	15	00	07	20
		76	16	00	00	40
		76	5एफ	00	02	15
		76	5ई	00	00	75
		76	5डी	00	00	40
		76	3बी	00	02	20
		76	3ए	00	06	75
		76	2ए2	00	06	80
		76	2ए1	00	01	85
		76	2बी2	00	00	40
		76	2बी1	00	00	55
		77	4	00	09	40
		77	5	00	02	20

		77	7ए	00	03	95
		83	7सी	00	01	35
		83	8	00	06	30
		83	6ई	00	03	50
		83	6एफ	00	05	00
		83	6जी	00	01	35
		84	8ए	00	07	40
		84	7ए	00	04	85
		84	1बी	00	01	35
		84	1ए	00	10	75
		88	10बी	00	02	90
		88	10ए	00	03	45
		88	11ए	00	03	85
		88	9	00	04	30
		88	5	00	03	80
		88	4	00	04	35
		88	2सी	00	00	40
		88	2बी	00	00	40
		88	2ए	00	00	40
		88	3ए	00	03	65
		90	6बी4	00	02	35
		90	6बी3	00	02	10
		90	6बी2	00	03	50
		90	6बी1	00	03	05
		90	6ए	00	00	80
		89	7आई	00	02	70
		89	7ई	00	12	00
		89	6	00	15	00
		89	4बी	00	00	50
		89	4ए	00	02	35
		89	5ए	00	00	90
		93	2सी4	00	01	10
		93	5बी	00	09	00

		93	2बी4	00	01	40
		93	2बी3	00	01	40
		93	4	00	07	50
		93	2बी2	00	02	65
		93	3ए	00	04	90
		94	4के	00	00	40
		94	4एल	00	12	50
		94	4एम	00	00	55
		94	4जे	00	15	85
		94	4ई	00	06	15
		94	4बी	00	03	60
		94	3बी	00	00	40
		94	2	00	02	05
		95	1	00	15	90

[फा. सं. आर-11025(11)/99/2017-ओआर-I/ई-8030]

पवन कुमार, अवसर सचिव

New Delhi, the 15th May, 2018

S.O. 810.—Whereas, by the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O.No.334(E) dated: 27.01.2017 issued under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (herein after referred to as the said Act) the Central Government declared its intention to acquire the Right of User in the Lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transportation of Natural Gas, a pipeline “Ennore-Tiruvallur -Bengaluru -Pondicherry -Nagapattinam –Madurai- Tuticorin” should be laid in the State of Tamil Nadu by Indian Oil Corporation Limited.

And whereas, copies of the said notifications were made available to the public from 09.02.2017.

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has submitted his report to the Central Government;

And whereas, the Central Government, after considering the said report is satisfied that the Right of User in the Land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the Right of User in the said Land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the Right of User in the said Land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited free from all encumbrances.

Indian Oil Corporation Limited shall be exclusively liable for any compensation in terms of section 10 of the P & M P Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to pipeline.

SCHEDULE

District : Ramanathapuram		State : Tamil Nadu				
Name of the Taluk	Name of the Village	Survey No.	Sub Division No.	Area		
				Hectare	Are	Square Meter
1	2	3	4	5	6	7
Ramanathapuram	53. Valantharavai	202	4	00	01	80
		202	5B	00	08	65
		96	4A	00	14	75
		96	5A	00	08	90
		96	3	00	17	00
		96	2	00	00	40
		96	1	00	01	30
		95	6D	00	00	40
		95	6E	00	00	40
		95	7	00	10	70
		95	3	00	01	45
		95	2	00	05	50
		95	1	00	07	00
		98	2	00	11	90
		99	9	00	14	95
		99	8	00	03	10
		99	5	00	04	70
		99	4	00	02	35
		99	3	00	02	30
		99	1	00	08	30
		88	5C	00	03	95
		88	4C	00	03	90
		100	1	00	26	40
		100	2A	00	01	40
		101	5A	00	13	30
		101	4B2	00	00	40
		101	5B	00	15	60
		101	5C	00	01	35
		101	3	00	05	25
		101	6A	00	13	50
		102	2	00	08	80

		102	3	00	17	60
		102	4A	00	07	00
		109	5B	00	12	10
		109	5A2	00	08	45
		109	5A1	00	06	10
		110	9B	00	04	70
		110	9A	00	04	80
		114	2B1	00	11	50
		114	2A1	00	05	20
		114	2A2	00	00	40
		114	1B2	00	10	30
		115	3A	00	06	25
		115	2	00	10	45
		113	4	00	16	80
		113	5A	00	02	85
		112	3	00	11	50
		112	2D	00	02	15
		112	2C	00	02	70
		112	2B	00	02	35
		112	2A	00	02	30
		112	1B	00	08	10
Ramanathapuram	52. Kuyavankudi	181	6C	00	09	90
		181	6B2	00	08	95
		182	1B	00	08	95
		182	2	00	08	85
		182	3	00	07	00
		183	3	00	21	60
		183	2	00	10	90
		183	4B	00	10	50
		184	1B2	00	19	00
		184	1B1	00	04	10
		185	3C	00	15	80
		185	3B	00	18	25
		189	1	00	06	35
		189	2B	00	04	90
		189	2A	00	03	50
		190	1A1	00	07	95

		190	1A2	00	01	95
		168	4C	00	05	70
		167	1A	00	12	15
		167	3B1	00	01	15
		167	3B2A	00	09	40
		167	3B2B	00	02	00
		167	3A	00	06	75
		166	1C	00	00	40
		166	1B	00	09	70
		166	2A2	00	05	15
		166	2A1	00	00	80
		166	3A	00	09	30
		166	4	00	22	30
Ramanathapuram	46. Sakkarakottai	355	2	00	04	50
		355	3	00	07	50
		355	1A1	00	06	60
		354	2	00	02	70
		354	1	00	03	55
		351	9	00	00	85
		351	12	00	05	45
		351	11C	00	05	45
		351	11A	00	05	25
		351	5	00	07	90
		351	2A	00	06	50
		351	3A	00	06	60
		351	3B	00	05	30
		361	1A	00	01	90
		361	1B	00	10	65
		361	2	00	00	40
		361	1C	00	00	40
		347	1	00	01	25
		347	2A	00	23	20
		347	2B	00	12	00
		362	2	00	02	35
		362	3B	00	06	75
		362	4	00	07	20
		363	1A	00	03	25

		363	1B	00	03	30
		363	2	00	07	70
		363	3	00	06	45
		537	3B	00	12	95
		536	4	00	04	50
		536	8A	00	16	40
		536	8B1	00	00	40
		536	6	00	07	40
		536	7	00	00	65
		535	3	00	14	50
		534	1	00	12	30
		534	3	00	06	50
		526	3A	00	05	00
		526	3B	00	04	20
		526	2A	00	05	85
		526	1B	00	00	40
		527	1	00	01	50
		527	2	00	02	30
		527	4B	00	03	15
		527	5	00	04	15
		527	3A1	00	00	65
		527	3A2	00	02	50
		527	3B	00	03	20
		527	3C	00	03	55
		527	3D	00	03	50
		528	3	00	08	20
		528	4A	00	04	40
		528	4B	00	04	30
		528	5	00	08	35
		528	6	00	08	55
		528	7	00	08	00
		528	8C	00	04	25
		528	9-1	00	03	70
		528	9-2	00	03	35
		529	1	00	06	45
		529	2	00	05	90
		529	3	00	05	70

		529	4	00	05	55
		529	5	00	06	55
		502	1A	00	15	30
		502	3A	00	20	35
		504	1B1A1	00	28	65
		504	2A1A	00	05	30
		504	2A1B	00	05	00
		504	2B	00	05	15
		504	3A	00	05	30
		504	3B	00	04	10
		504	4	00	06	90
		506	1	00	05	70
		506	2	00	03	80
		506	3	00	03	95
		506	4A4	00	03	85
		506	4C	00	03	75
		506	4B	00	03	20
		506	4D	00	03	70
		506	4E	00	01	60
		500	1	00	02	00
		499	1A	00	08	80
		499	2	00	11	35
		499	3A	00	11	10
Kilakarai	47. Kudhakkottai	19	6	00	01	70
		19	5	00	09	60
		19	4	00	00	80
		20	1C	00	04	55
		20	1D	00	02	80
		20	1J	00	00	60
		20	1I	00	02	80
		20	1H	00	00	85
		20	1K	00	03	70
		20	1O	00	03	30
		20	1N	00	00	95
		20	1R	00	01	15
		20	1S	00	02	45
		20	1U	00	02	70

		20	1Z	00	01	65
		20	1V	00	00	90
		20	1Y	00	00	60
		20	1X	00	01	70
		20	1W	00	00	80
		20	2A	00	01	30
		21	1A	00	02	10
		21	1B	00	11	40
		21	1E	00	00	60
		21	1D	00	01	65
		21	1C	00	05	80
		25	1	00	00	85
		26	1A1	00	06	80
		26	1B	00	02	70
		26	1C	00	03	20
		26	2A	00	03	60
		26	2B	00	02	70
		27	2A4	00	04	35
		27	2B	00	05	45
		27	2C	00	06	45
		27	4A	00	13	60
		28	6B	00	15	10
		28	6A	00	19	40
		30	8C	00	00	90
		38	3A	00	12	10
		38	4A	00	08	00
		38	4C1	00	10	10
		39	2	00	15	30
		39	3G	00	04	10
		39	3I	00	04	45
		39	3J	00	08	40
		39	3L	00	01	65
		39	5	00	03	00
		42	5	00	00	60
		43	7A	00	02	00
		43	1A	00	07	10
		43	2	00	06	00

		43	3A	00	01	25
		151	1D	00	06	80
		151	2A3	00	03	65
		151	1C	00	01	90
		151	2A2	00	00	60
		151	2C	00	00	60
		151	2D2	00	02	70
		151	2E2	00	02	25
		151	3A2	00	04	50
		151	5	00	02	55
		151	3B1	00	01	45
		151	4A2	00	00	60
		151	4A1	00	00	60
		152	2B2	00	00	80
		152	2B1	00	01	10
		153	1G	00	00	65
		153	1D	00	02	80
		153	1E	00	03	00
		153	1F	00	03	25
		153	2A	00	08	45
		153	3B	00	09	00
		153	4	00	10	10
		153	5D	00	03	40
		153	5C	00	03	00
		153	5K1	00	04	80
		153	5K2	00	01	10
		155	11	00	01	90
		155	14A	00	00	40
		155	15A	00	00	60
		155	13A	00	02	30
		155	4B2	00	00	80
		155	4D	00	04	30
		156	1A	00	05	50
		156	1B	00	07	90
Kilakarai	46. Tiruppullani	67	2	00	00	75
		67	1A	00	07	20
		67	1B	00	01	90

		66	5A	00	04	75
		66	5B	00	01	90
		65	8D	00	00	70
		65	9G2	00	05	00
		65	9H	00	00	40
		65	9F	00	00	70
		65	9E	00	05	45
		65	10	00	00	60
		65	9D	00	00	90
		65	9C	00	07	20
		65	9B	00	03	30
		69	3A3	00	10	20
		69	1B	00	02	45
		69	1C	00	06	70
		69	2	00	18	40
		62	4B	00	00	60
		70	1	00	08	50
		70	2	00	01	10
		59	4	00	11	00
		59	5A	00	03	55
		59	5B	00	04	40
		59	6	00	10	75
		59	7A	00	04	30
		59	7B	00	02	80
		59	3	00	01	95
		58	5	00	00	60
		58	2B	00	05	20
		58	2C	00	00	60
		58	2A	00	03	60
		58	3A	00	01	50
		58	1	00	11	90
		48		00	02	00
		50	12	00	17	85
		52	6	00	02	80
		52	5	00	14	00
		52	7	00	00	60
		52	3	00	00	60

		53	1B	00	02	55
		53	2	00	01	45
		53	3	00	05	00
		53	4	00	14	00
		53	5A	00	03	00
		53	5B	00	03	20
		53	6	00	02	95
		42	1A	00	08	30
		42	1B	00	07	85
		42	2B	00	01	50
		42	2C	00	01	45
		42	3A	00	02	60
		42	4	00	03	20
		42	5	00	02	80
		42	6	00	02	70
		42	7	00	01	90
		42	8A	00	00	60
		43	4J1	00	06	30
		43	4J2	00	00	60
		43	4I2	00	06	20
		43	4H2	00	02	90
		41		00	09	80
		78		00	18	40
		79		00	01	60
		124	1A2	00	11	60
		124	1A1	00	07	10
		128	2	00	23	75
		137	9	00	03	05
		137	13	00	10	35
		137	14	00	07	95
		136	2A2	00	03	55
		136	2B	00	08	90
		137	15	00	08	65
		137	16	00	09	55
		136	1G	00	00	85
		135	3	00	07	60
		135	2	00	10	00

		135	1	00	07	40
		149	2F	00	00	60
		149	2G	00	03	10
		149	2H	00	05	10
		149	2I	00	03	75
		149	3A	00	02	60
		149	1F	00	09	00
		149	1C	00	02	80
		149	1D	00	07	20
		157	5	00	18	55
		158	11	00	00	60
		158	9C	00	07	00
		158	8	00	08	40
		158	7	00	09	20
		158	6B	00	09	40
		158	5	00	02	90
		158	4	00	03	40
		158	3	00	02	10
		158	2D	00	00	40
		162	2C2	00	00	60
		162	2B2	00	05	30
		162	2A2	00	04	65
		162	2A1	00	05	30
		162	1F	00	02	90
		162	1E	00	00	95
		162	1D	00	00	60
		171	1	00	16	95
		174		00	17	60
		175		01	24	00
Kilakarai	42. Kalari	392	9	00	15	75
		392	10	00	01	10
		392	8	00	09	80
		392	1B3	00	07	20
		375	5B	00	13	45
		375	5A	00	06	80
		375	2	00	06	70
		374	5	00	06	80

		374	3	00	12	60
		374	2B	00	09	35
		374	1C	00	04	20
		376	1A	00	00	60
		377	7E	00	01	10
		377	7D	00	01	60
		377	7C	00	01	40
		377	7B	00	01	85
		377	6B	00	07	70
		377	6A	00	09	45
		373	5B	00	01	00
		373	5A	00	00	60
		377	1	00	06	50
		350	1	00	04	60
		350	2	00	13	60
		350	3	00	01	05
		349	4A	00	04	50
		349	7	00	04	00
		349	6	00	04	30
		349	5	00	08	50
		349	9	00	10	50
		345	1	00	01	05
		346	7	00	09	00
		346	6B	00	04	10
		346	6A	00	05	00
		346	5	00	09	30
		346	4	00	19	20
		341	4	00	10	65
		341	2	00	07	10
		341	3B	00	05	90
		341	3A	00	13	20
		340	9	00	03	90
		331	1	00	08	50
		292	4	00	08	20
		292	3	00	08	20
		292	2	00	08	90
		287	1	00	03	50

		288	2	00	13	20
		288	1	00	13	90
		290	2A	00	06	10
		290	1	00	20	00
		277	2B	00	15	80
		278	4	00	11	65
		278	1	00	19	20
		266	2B	00	05	10
		266	2C	00	12	30
		266	3	00	13	00
		266	4	00	12	25
		264	1	00	03	20
		262	5	00	22	10
		262	6A	00	02	20
		261	11C	00	00	45
Kilakarai	41. Kulapatham	99	1	00	00	80
		100	1	00	16	00
		98	2C2	00	00	80
		98	7	00	08	85
		98	9	00	05	55
		98	8	00	06	50
		97	2B	00	04	20
		97	2A	00	06	40
		97	1	00	05	70
		2	7	00	01	30
		2	6	00	04	50
		2	8A	00	02	40
		2	8B	00	04	00
		3	3A	00	07	20
		3	3B	00	08	30
		3	8	00	19	20
		4	5	00	00	80
		4	4	00	16	80
		16	3	00	05	50
		17	3A	00	12	20
		17	3B	00	01	00
		17	2	00	14	40

		17	1	00	02	70
		18	1	00	07	60
		19	7	00	06	00
		19	10	00	09	60
		21	3A	00	07	25
		21	2	00	00	80
		21	3B	00	04	20
		21	4B	00	06	75
		21	7	00	06	95
		24	3	00	00	80
		24	1B	00	10	10
		24	2	00	01	50
		30	2	00	05	75
		30	5B	00	02	00
		30	4	00	00	80
		30	5C	00	02	20
		30	5E	00	03	20
		30	7	00	01	00
		30	6	00	07	80
		29	1	00	11	10
		33	4A	00	05	10
		33	4B	00	12	80
		33	5	00	10	80
		33	2	00	03	20
		34	2A2	00	14	10
		34	2B	00	07	30
		37	5	00	15	15
		37	4	00	00	95
		36	3C	00	00	80
		36	2B	00	07	80
		36	2A	00	09	20
		36	1A	00	13	00
		36	1B	00	15	75
		40	4A	00	09	55
		40	3A	00	05	40
		39		00	06	30
		40	2	00	06	10

		40	1	00	20	20
		45	1A	00	07	10
Kilakarai	33. Velanur	90	1	00	04	55
		90	2	00	05	25
		90	3	00	03	35
		90	4	00	04	85
		89	1	00	06	05
		89	4	00	08	25
		89	5	00	05	45
		91	1	00	24	20
		87	1E1	00	10	25
		87	2A	00	12	90
		87	2B	00	11	25
		87	2D	00	07	95
		86	2	00	03	30
		86	3D	00	04	30
		84		00	16	45
		83	3	00	13	15
		83	4	00	11	90
		85	1	00	02	10
		85	2	00	00	40
		81	2	00	42	45
		110	2	00	28	20
		110	1	00	08	00
		111	1	00	13	20
		111	4	00	00	40
		111	3	00	06	40
		76	1	00	05	45
		76	2	00	29	55
		76	3	00	14	35
		118	1A	00	10	35
		119	2	00	00	60
		119	3	00	10	80
		120	1	00	15	60
		120	3	00	21	80
		120	2	00	06	80
		121	1	00	14	10

		121	2	00	14	50
		122	2	00	17	30
		122	3	00	08	65
		122	4	00	08	85
		124	1	00	07	70
		124	2A	00	01	60
		124	3	00	00	40
		123	2	00	00	50
		123	3A	00	06	40
		123	3B	00	05	00
		123	3C	00	02	40
		123	4A	00	01	85
		123	4B	00	04	75
		123	4C	00	04	65
		126	1	00	24	45
		127	2A	00	05	90
		127	3	00	08	15
		129	1A	00	07	00
		129	1B	00	02	50
		129	2B	00	05	00
		129	2C	00	02	00
		129	3A	00	00	70
		129	3B	00	00	40
		128	1B	00	12	30
		128	3	00	06	80
		128	4C	00	01	10
		134	3	00	02	05
		134	2	00	04	40
		134	4	00	06	90
		134	9	00	04	50
		134	8	00	00	40
		134	7A	00	01	30
		134	7B	00	07	75
		135	1C	00	10	25
		135	2B	00	04	65
		155	7A	00	00	45
		156	2D	00	06	40

		156	2C	00	00	90
		156	3	00	10	70
		156	6	00	11	85
		156	7A	00	04	00
		156	7B	00	03	80
		156	7C	00	03	90
		157	1A	00	03	00
		157	1B	00	03	10
		157	2	00	06	25
		157	4A	00	01	50
		157	5	00	04	20
		157	6	00	02	60
		157	7	00	04	10
		157	8/B	00	04	00
		157	8/A	00	00	40
		157	8/C	00	05	30
		164	2A	00	01	20
		164	2B	00	04	90
		164	7	00	10	80
		164	8A	00	00	70
		164	6	00	21	80
		163	4	00	03	00
		165	5	00	00	40
		165	6/B	00	00	85
		165	7/B	00	01	60
		165	8	00	11	10
		166	2A	00	00	40
		166	1A	00	08	40
		166	1B	00	04	75
		166	3A	00	00	40
		220	1A	00	04	40
		221	9B	00	05	30
		221	2	00	05	00
		221	5	00	07	10
		221	7	00	02	80
		222	10B	00	01	40
		222	10A	00	13	85

		222	9	00	12	65
		222	8	00	04	45
		222	6B	00	00	40
		238	1A	00	08	30
		238	1B	00	01	50
		224	1A1	00	22	25
		226	1A	00	06	60
		226	1B	00	06	45
		226	2A	00	05	80
		226	3A	00	02	80
		229	2A	00	16	90
Kilakarai	32. Panaiyadiyendal	34	3	00	07	90
		34	4	00	04	50
		35	2	00	04	65
		35	3E	00	09	10
		43	1	00	11	20
		43	2D	00	00	40
		43	2C	00	04	85
		43	2B	00	08	45
		43	2A	00	05	70
		43	2H	00	02	25
		45		00	11	95
		46	1B	00	00	40
		46	1C	00	02	80
		46	2E	00	06	25
		46	3	00	07	20
		49	1A	00	03	10
		49	1B	00	03	20
		49	1C	00	03	20
		49	1D	00	04	40
		49	1E	00	04	70
		49	1F	00	03	80
		49	1G	00	01	50
		47	1A6	00	04	10
		49	1H	00	00	40
		47	1B2	00	05	10
		47	1B3A	00	04	50

		47	1B3B	00	04	90
		47	12	00	01	15
		47	13	00	00	60
		47	14	00	00	40
		47	2C	00	00	40
		47	11	00	12	00
		47	2D	00	01	80
		47	2E	00	01	40
		56	7A	00	03	10
		56	7B	00	01	95
		56	7C	00	02	20
		56	7D	00	02	00
		56	6A	00	08	10
		56	4A	00	02	40
		56	4B	00	04	20
		56	4C	00	00	40
		56	4D	00	05	05
		55	1	00	09	90
		57	5	00	00	40
		57	6	00	00	70
		57	7	00	01	70
		57	10C	00	02	60
		57	10B	00	05	40
		58	4	00	09	30
		58	3B	00	07	60
		165	6	00	03	30
		165	5	00	05	90
		165	1C	00	00	40
		165	7	00	00	50
		165	4B	00	12	00
		165	4A	00	00	40
		155	8	00	09	10
		155	9	00	08	50
		155	10B	00	04	95
		155	10C	00	01	90
		154	12	00	06	90
		157	1	00	02	50

		157	2	00	04	80
		154	13	00	02	10
		157	3	00	08	00
		153	15	00	11	50
		153	16B	00	11	40
		141	7A	00	08	30
		141	5	00	03	20
		141	8A	00	00	40
		141	6B	00	10	40
		140	1	00	00	40
		139	2	00	04	70
		139	3C	00	04	95
		139	9	00	00	40
		139	8	00	09	70
		139	7	00	05	00
		138	2B	00	00	95
		138	2A	00	03	55
		138	6A	00	02	30
		138	6B	00	02	25
		138	8A	00	02	40
		138	8B	00	01	60
		138	9	00	04	35
		137	1A	00	28	20
		203	2	00	32	80
		232	4	00	27	50
		231	2B	00	03	60
		231	3A	00	03	50
		231	3B	00	03	55
		230	1	00	08	90
		230	2	00	08	95
		230	3A1	00	09	80
		230	3A2	00	12	95
		230	3B	00	11	80
		230	3C	00	15	95
		220	1	00	11	65
		220	2A	00	03	55
		220	2B	00	03	10

		220	3	00	05	25
		220	4	00	05	20
		220	7	00	14	20
		220	8A	00	05	10
		220	9A	00	04	90
		220	10A	00	04	85
Kadaladi	50. Sikkal	259	5E	00	00	80
		260	1	00	15	40
		260	2	00	06	15
		258	4C	00	09	35
		261		00	32	40
		248	2	00	00	40
		248	5	00	02	60
		248	6	00	05	40
		248	10	00	05	40
		248	8	00	15	40
		248	9	00	01	20
		247	4	00	04	50
		247	3	00	04	50
		247	2	00	04	70
		247	1	00	05	00
		50	1A1	00	02	90
		50	1A2	00	09	00
		49	2C	00	06	85
		49	2D3	00	15	40
		49	2D5	00	00	40
		49	2D4	00	06	25
		49	2D2	00	00	40
		51	1A	00	18	00
		52	1A	00	17	20
		52	1B	00	00	40
Kadaladi	42. Panivasal	300	2	00	26	65
		300	7	00	04	00
		300	3	00	07	20
		300	4	00	10	45
		299	6B	00	00	80
		294	1	00	12	25

		294	2	00	00	50
		293	5	00	01	70
		293	4	00	13	30
		295	6A	00	04	20
		295	6B	00	14	70
		295	5	00	00	40
		295	1C	00	11	50
		296	3	00	07	20
		296	4	00	00	40
		296	6	00	03	00
		296	5	00	10	50
		289	8	00	00	40
		289	7	00	03	00
		289	1	00	12	00
		289	2A	00	00	80
		282	10	00	08	30
		284	3	00	06	00
		284	2	00	06	00
		284	1	00	00	40
		284	4	00	08	30
		284	5	00	02	30
		283	8B	00	11	50
		283	7	00	01	30
		283	6	00	10	80
		283	5	00	03	25
		331	4	00	01	30
		331	2	00	06	70
		331	1	00	08	50
		272	7	00	03	80
		273	1	00	08	20
		250	10	00	18	20
		247	2E	00	02	20
		247	2F	00	04	85
		247	2G	00	04	20
		247	2H	00	07	60
		247	2I	00	00	65
		247	2K	00	12	15

		247	2L	00	00	70
Kadaladi	41. Peykkulam	49	2	00	17	70
		49	1	00	15	50
		48	4A	00	01	30
		48	4B	00	04	00
		48	3C	00	07	60
		50	1A	00	00	40
		51	9	00	07	10
		51	3C	00	03	30
		51	3B	00	01	00
		51	3E	00	02	80
		51	3D2	00	01	80
		51	3D1	00	03	80
		51	8A	00	00	70
		51	4B	00	12	55
		51	4A	00	00	45
		51	6A	00	00	40
		51	5A	00	13	80
		53	2C	00	00	70
		53	3A	00	00	40
		53	2D	00	15	10
		53	2E	00	07	60
		57	8	00	07	50
		57	9A	00	00	40
		57	7A	00	06	10
		57	7B	00	07	20
		57	3D	00	05	60
		57	3C	00	00	40
		57	6B2	00	00	40
		57	6B1	00	00	80
		57	4	00	02	75
		57	6A	00	05	90
		57	5A	00	04	90
		57	5B	00	05	40
		70	5A	00	10	80
		70	4B	00	03	60

		70	2	00	11	90
		70	3A	00	01	30
		70	3B	00	00	40
		56		00	00	40
		72	1B	00	07	40
		72	1A	00	00	60
		72	1C	00	11	70
		76	14	00	00	40
		76	15	00	07	20
		76	16	00	00	40
		76	5F	00	02	15
		76	5E	00	00	75
		76	5D	00	00	40
		76	3B	00	02	20
		76	3A	00	06	75
		76	2A2	00	06	80
		76	2A1	00	01	85
		76	2B2	00	00	40
		76	2B1	00	00	55
		77	4	00	09	40
		77	5	00	02	20
		77	7A	00	03	95
		83	7C	00	01	35
		83	8	00	06	30
		83	6E	00	03	50
		83	6F	00	05	00
		83	6G	00	01	35
		84	8A	00	07	40
		84	7A	00	04	85
		84	1B	00	01	35
		84	1A	00	10	75
		88	10B	00	02	90
		88	10A	00	03	45
		88	11A	00	03	85
		88	9	00	04	30
		88	5	00	03	80

		88	4	00	04	35
		88	2C	00	00	40
		88	2B	00	00	40
		88	2A	00	00	40
		88	3A	00	03	65
		90	6B4	00	02	35
		90	6B3	00	02	10
		90	6B2	00	03	50
		90	6B1	00	03	05
		90	6A	00	00	80
		89	7I	00	02	70
		89	7E	00	12	00
		89	6	00	15	00
		89	4B	00	00	50
		89	4A	00	02	35
		89	5A	00	00	90
		93	2C4	00	01	10
		93	5B	00	09	00
		93	2B4	00	01	40
		93	2B3	00	01	40
		93	4	00	07	50
		93	2B2	00	02	65
		93	3A	00	04	90
		94	4K	00	00	40
		94	4L	00	12	50
		94	4M	00	00	55
		94	4J	00	15	85
		94	4E	00	06	15
		94	4B	00	03	60
		94	3B	00	00	40
		94	2	00	02	05
		95	1	00	15	90

[F. No. R-11025(11)/99/2017-OR-I/E-8030]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 15 मई, 2018

का.आ. 811.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप धारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 2025 तारीख 28.08.2017 जिसका प्रकाशन भारत के राजपत्र संख्या 35, भाग-II, खण्ड 3, उप-खण्ड (ii) तारीख 02.09.2017 में किया गया है। इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट ओडिशा राज्य के तहसील : **कुकुडाखण्डि**, जिला : **गंजाम** की भूमि में, ओडिशा राज्य में पारादीप से तेलंगाना राज्य में हैदराबाद तक पेट्रोलियम उत्पादों के परिवहन के लिये इंडियन ऑयल कॉर्पोरेशन लिमिटेड के द्वारा क्रियान्वित किए जा रहे "पारादीप-हैदराबाद पाइपलाइन परियोजना" के संबंध में पाइपलाइन बिछाने के प्रयोजन के लिये उपयोग के अधिकार का अर्जन करने के लिये अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को उपलब्ध करा दी गई थीं। और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी नें केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाए; और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी बिल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील- कुकुडाखण्डि	जिला - गंजाम	राज्य -ओडिशा		
गाँव का नाम	प्लॉट नं.		क्षेत्रफल	
		हेक्टर	एयर	वर्ग मीटर
1	2	3	4	5
बलरामपल्लि	8	00	00	29
	11	00	00	10
	37	00	01	97
	36	00	03	88
	44	00	04	07
	27	00	00	10
	31	00	01	38
	53	00	03	12
	60	00	01	95
	57	00	02	00
	58	00	03	67
	91	00	02	59
	90	00	01	21
	92	00	01	62

	95	00	01	13
	100	00	02	09
	101	00	01	17
	106	00	01	12
भुडुका	68	00	13	41
	69	00	24	76
	70	00	28	70
	71	00	08	30
	72	00	09	01
	74	00	17	91
	75	00	04	55
	76	00	00	81
	3226	00	00	10
	3227	00	04	55
	3228	00	03	21
	3228/4167	00	03	74
	3229	00	07	32
	3245	00	00	10
	3277	00	07	77
	3278	00	13	74
	3287	00	00	14
	3287/4168	00	00	10
	3280	00	07	82
	3282	00	00	10
	3286	00	02	39
	3285/4113	00	00	84
	3285/4114	00	01	60
	3285	00	02	36
	3298	00	00	15
	3297	00	00	40
	3297/4181	00	01	57
	3296	00	05	87
	3304	00	00	30
	3305	00	02	79

	3306	00	07	74
	3321	00	00	49
	3331	00	00	18
	3322	00	09	15
	3112	00	07	32
	3323	00	00	43
	3098	00	06	82
	3325	00	00	23
	3097	00	04	61
	3360	00	04	87
	3094	00	00	34
	3497	00	03	22
	3509	00	07	46
	3509/4126	00	05	74
	3527	00	12	76
	3529	00	00	98
	3526	00	06	00
	3544	00	00	80
	3558	00	17	77
	3559	00	03	78
	3560	00	01	30
	3579	00	01	16
	3579/4239	00	01	20
	3592	00	10	18
	3591	00	04	83
	3589	00	00	44
	3586	00	17	29
बउलझोलि	843	00	00	10
	846	00	00	10
	917	00	01	52
	926	00	02	21
	922	00	00	45
	925	00	01	46
	927	00	01	64

	928	00	02	05
	973	00	03	03
	974	00	00	10
	973/2288	00	02	12
	976	00	02	84
	977/3152	00	03	41
	977	00	00	27
	978	00	03	01
	978/3194	00	04	86
	978/3195	00	04	03
	980	00	00	78
	1715	00	00	84
	982	00	03	00
	983	00	03	10
	984	00	00	16
	985	00	02	53
	986	00	02	63
	987	00	07	13
	990	00	02	64
	989	00	00	80
	992	00	02	24
	993	00	08	29
	1000	00	00	11
	999	00	06	83
	1000/2275	00	00	56
	1002	00	02	59
	1001	00	02	50
	1004	00	03	80
	1004/3151	00	00	10
	1312/2270	00	00	10
	1313	00	06	38
	1317	00	00	49
	1316	00	06	14
	2087	00	07	17

	2088	00	08	26
	2089	00	04	97
महुघराहिल	97	00	00	10
	110	00	00	82
	111	00	08	17
	112	00	04	71
	122	00	01	42
	215	00	01	89
	223	00	03	70
	209	00	20	64
	192	00	15	14
	193	00	08	61
पादिरिपल्ली	303	00	04	10
	325	00	02	18
	324	00	03	96
	323	00	04	83
	309	00	00	64
	322	00	06	74
	315	00	00	18
	321	00	04	30
	316	00	00	68
	317	00	01	04
	319	00	01	20
	318	00	04	16
	362	00	01	08
	383	00	02	08
	384	00	00	10
	382	00	06	01
	380	00	02	64
	381	00	00	13
	376	00	08	15
	386/653	00	01	54
	395	00	02	67
	390	00	03	43

	391	00	02	52
	393	00	03	16
	392	00	02	52
	394	00	01	43
	437	00	05	27
	438	00	02	46
	439	00	08	99
	434	00	09	82
लांजिआ	743	00	01	79
	742	00	00	11
	744	00	08	44
	752	00	01	98
	745	00	02	08
	750	00	00	95
	749	00	03	76
	751	00	04	80
	757	00	03	11
	748	00	00	32
	758	00	06	24
	769	00	00	80
	806	00	01	97
	805	00	02	46
	804	00	01	02
	803	00	00	10
	770	00	00	10
	802	00	03	88
	801	00	03	19
	828	00	01	56
	828/1730	00	01	49
	800	00	03	74
	799	00	00	23
	829	00	01	31
	830	00	02	32
	831	00	02	46

	866	00	04	41
	834	00	00	12
	865	00	03	60
	867	00	02	04
	868	00	03	36
	864	00	00	47
	869	00	00	19
	883	00	05	58
	871	00	03	03
	882	00	00	26
	877	00	05	16
	879	00	05	24
	878	00	04	74
	1029	00	01	75
	1030	00	02	25
	1028	00	00	10
	1022	00	02	87
	1023	00	00	10
	1031	00	00	32
	1020	00	00	66
	1021	00	00	79
	1034	00	01	03
	1041	00	02	12
	1040	00	02	29
	1039	00	01	15
	1038	00	04	19
	1044	00	00	21
	1137	00	03	68
	1138	00	00	10
	1134	00	03	09
	1136	00	01	10
	1135	00	01	48
	1133	00	01	27
	1132	00	05	42

	1126	00	01	87
	1131	00	01	28
	1130	00	02	40
	1129	00	01	86
	1128	00	01	69
	1207	00	01	63
	1209	00	02	44
	1206	00	03	10
	1211	00	02	64
	1212	00	01	39
	1213	00	01	60
	1214	00	04	07
	1215	00	06	80
	1216	00	04	60
	1224	00	01	78
	1225	00	03	42
	1223	00	01	82
	1369	00	06	80
	1369/1436	00	02	09
	1370	00	04	27
	1351	00	02	59
	1349	00	02	68
	1344	00	10	60
	1322	00	02	59
	1323	00	04	31
	1324	00	02	22
	1325	00	01	79
	1326	00	03	22
	1327	00	01	15
	1328	00	00	55
	1318	00	01	31
	1313	00	01	20
	1314	00	01	15
	1308	00	00	95

	1310	00	00	10
	1306	00	01	07
	1309	00	00	17
	1298	00	00	49
	1305	00	01	02
	1304	00	01	71
	1299	00	00	73
	1300	00	00	77
	1301	00	00	54
	1302	00	02	73
	1296	00	01	25
	1295	00	01	46
	1294	00	01	34
	1293	00	01	41
भगवानपुर	563	00	04	94
	538	00	04	05
	539	00	09	28
	540	00	01	04
	537	00	00	25
	519	00	11	03
	535/808	00	06	15
	572	00	02	53
	573	00	05	60
	533	00	01	80
	574/860	00	03	24
	574/859	00	02	82
	574/1179	00	01	54
	574	00	01	29
	576	00	08	40
	576/895	00	01	17
	577	00	19	81
	578	00	02	40
	579	00	02	22
	579/1185	00	00	94

	580	00	06	20
	582	00	05	88
	583	00	11	63
	586	00	16	32
	588	00	03	97
	616	00	10	81
	615	00	10	31
	618	00	11	39
	620	00	08	66
	649	00	08	91
	668	00	02	26
	669	00	00	56
	662	00	00	53
	663	00	01	06
	661	00	03	15
	372	00	02	40
	371	00	05	96
	367	00	00	67
	297	00	02	21
	298	00	06	16
	299/791	00	00	60
	208	00	01	24
	209	00	07	76
	205	00	00	94
	206	00	07	54
	207	00	05	58
	202	00	05	82
	201	00	04	66
	201/970	00	00	10
	200	00	02	60
	692	00	02	61
	198	00	01	16
	197	00	02	00
	196	00	07	35

	187	00	00	70
	728	00	00	28
	728/790	00	05	84
	727	00	01	24
	729	00	12	72
	190	00	00	10
	730	00	02	20
	748	00	08	05
	750	00	04	50
	751/890	00	05	41
	755	00	06	71
	756	00	05	43
	754/778	00	00	44
	756/888	00	05	87
	756/887	00	02	70
	759/772	00	05	80
	760	00	14	00
	759	00	05	09
	761	00	01	95
	762/845	00	06	85
	762/846	00	04	36
	763	00	00	72
अनन्ताइ	1365	00	03	14
	1366	00	04	64
	1367	00	02	00
	1367/2328	00	05	15
	1367/2330	00	05	15
	1476	00	04	03
	1433	00	08	65
	1438	00	03	62
	1438/2193	00	02	50
	1437	00	01	36
	1435/2175	00	00	51
	1435	00	00	51

	1449	00	08	06
	1450	00	08	96
	1458	00	07	25
	1456	00	00	37
	1457	00	00	50
	1455	00	02	75
	1453	00	00	58
	1454	00	02	90
	1466	00	04	61
	1591	00	00	17
	1590	00	09	45
	1599	00	00	10
	1589	00	00	10
	1606	00	06	08
	1584	00	12	45
	1583	00	00	10
	1582	00	03	63
	1610	00	01	42
	1579	00	03	46
	1580	00	00	55
	1580/1796	00	02	13
	1578	00	02	22
	1613	00	00	56
	1577	00	04	56
	1576	00	01	69
	1575	00	00	77
	1544	00	00	10
	1545	00	06	54
	1546	00	04	11
	1547	00	00	10
	1548	00	02	17
	1571	00	03	90
	1571/2187	00	01	55
	1560	00	04	02

	1560/2157	00	02	64
	1552	00	01	26
	1553	00	06	67
	1554	00	04	45
	1557	00	00	36
	1555	00	02	56
	781	00	05	32
	736	00	00	70
	739	00	06	89
	740	00	04	08
	741	00	01	30
	743	00	09	01
	744	00	04	08
	745	00	02	30
	754	00	07	84
बन्धपल्लि	1154	00	00	63
	1159	00	04	38
	1153/2538	00	01	18
	1161	00	02	23
	1161/3007	00	06	68
	1166	00	06	20
	1164	00	01	00
	1165	00	05	17
	1145	00	02	97
	1146	00	02	68
	1147	00	00	10
	1147/2762	00	00	10
	1144	00	09	27
	1135	00	06	34
	1135/1953	00	01	05
	1139	00	02	73
	1139/2552	00	02	73
	1140	00	01	50
	1180	00	05	20

	1138	00	00	10
	1138/2121	00	00	10
	1181	00	01	50
	1215	00	01	54
	1210	00	01	66
	1210/2511	00	00	53
	1210/2884	00	00	10
	1210/2885	00	02	66
	1210/3006	00	03	09
	1210/3009	00	03	09
	1210/3016	00	02	97
	1219	00	01	57
	1224	00	07	64
	1226	00	00	26
	1227	00	00	20
	1222	00	04	18
	1703	00	08	65
	1709	00	00	16
	1701	00	00	10
	1708	00	05	28
	1705	00	00	20
	1707	00	06	49
	1757	00	03	39
	1759	00	01	90
चकुण्डाझोला	165	00	13	15
	165/399	00	01	03
	169	00	21	32
	169/424	00	01	53
	169/427	00	01	40
	169/428	00	01	30
	169/429	00	01	53
	201/371	00	08	49
	201/370	00	13	70
	202	00	01	26

	202/366	00	00	30
	202/368	00	02	84
	207	00	11	29
	211	00	01	71
	211/337	00	04	87
	209	00	16	86
कुसुमि	8/1124	00	10	79
	8/1124/1346	00	09	50
	8	00	00	23
	105/1125	00	01	49
	106	00	00	38
	104	00	00	89
	104/1295/1612	00	02	70
	104/1369	00	01	65
	104/1370	00	04	85
	104/1653	00	03	59
	104/1654	00	01	08
	104/1295	00	13	69
	1294	00	12	26
	1292	00	15	80
	86	00	00	10
	85	00	05	19
	84	00	01	06
	80	00	00	70
	81	00	01	78
	83/1136	00	03	67
	82	00	00	88
	83	00	03	40
	311	00	02	70
	310	00	02	29
	309	00	02	36
	312	00	06	20
	308	00	00	92
	313	00	00	96

	318	00	15	41
	320	00	02	72
	326	00	00	10
	325	00	10	76
	335	00	05	08
	328	00	13	80
	332	00	01	79
	331	00	10	95
	330	00	00	13
	330/1642	00	00	10
	342/966	00	02	21
	343	00	15	38
	343/1345	00	00	60
	343/1371	00	00	85
	343/1585	00	00	83
	344	00	18	04
	292	00	01	84
	292/1457	00	02	23
	292/1537	00	01	53
	292/1547	00	00	76
	292/1551	00	00	46
	292/1548	00	01	40
	292/1549	00	02	75
	292/1623	00	01	68
	291	00	00	11
	291/1077	00	15	47
	291/1613	00	00	65
	291/1640	00	01	54
	430	00	06	12
	430/1376	00	03	05
	430/1403	00	04	56
	431	00	08	41
	431/1377	00	02	96
	448	00	04	45

	447/1334	00	04	19
	1071	00	04	73
	446/1332	00	01	72
	445	00	03	00
	445/1602	00	03	49
	445/1604	00	22	27
	440	00	02	55
अर्जुनपुर	11	00	03	76
	13	00	00	16
	22	00	12	54
	90	00	09	94
	92	00	00	77
	91	00	02	94
	85	00	16	33
	88	00	00	12
	84	00	03	49
	83	00	05	88
	98	00	09	42
	99	00	02	33
	126	00	01	58
जुगुडि	570	00	06	70
	580	00	15	75
	577	00	10	39
	1835	00	16	54
	1830	00	09	85
	1831	00	01	73
	1836	00	00	67
	1838	00	15	85
	1840	00	00	22
	1841	00	06	47

[फा. सं. आर-11025(11)/236/2017-ओआर-I/ई-13717]

पवन कुमार, अवर सचिव

New Delhi, the 15th May, 2018

S.O. 811.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India No. 35 Part-II, Section 3, Sub-section (ii) dated 02.09.2017 vide S.O. Number 2025 dated 28.08.2017 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act) the Central Government declared its intension to acquire the right of user in the land situated in Tehsil-Kukudakhandi, District-Ganjam in Odisha State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of petroleum products from Paradip in the State of Odisha to Hyderabad in the State of Telengana by the Indian Oil Corporation Limited for implementing the “Paradip-Hyderabad Pipeline Project”.

And whereas the copies of the Gazette were made available to the public. And whereas the Competent Authority has under Sub-section (1) of section 6 of the said Act, has submitted his report of Central Government;

And whereas, the Central Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of the user therein;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user of the said land for laying the pipeline shall, instead of vesting in the Central Government, vests on the date of publication of the declaration, in Indian Oil Corporation Limited, free from all encumbrances.

SCHEDULE

Tehsil: KUKUDAKHANDI	District : GANJAM	State : ODISHA		
Name of the Village	Plot No.	Area		
		Hectare	Are	Sq.mtr.
1	2	3	4	5
BALARAMPALLI	8	00	00	29
	11	00	00	10
	37	00	01	97
	36	00	03	88
	44	00	04	07
	27	00	00	10
	31	00	01	38
	53	00	03	12
	60	00	01	95
	57	00	02	00
	58	00	03	67
	91	00	02	59
	90	00	01	21
	92	00	01	62
	95	00	01	13
	100	00	02	09
	101	00	01	17
	106	00	01	12
BHUDUKA	68	00	13	41

	69	00	24	76
	70	00	28	70
	71	00	08	30
	72	00	09	01
	74	00	17	91
	75	00	04	55
	76	00	00	81
	3226	00	00	10
	3227	00	04	55
	3228	00	03	21
	3228/4167	00	03	74
	3229	00	07	32
	3245	00	00	10
	3277	00	07	77
	3278	00	13	74
	3287	00	00	14
	3287/4168	00	00	10
	3280	00	07	82
	3282	00	00	10
	3286	00	02	39
	3285/4113	00	00	84
	3285/4114	00	01	60
	3285	00	02	36
	3298	00	00	15
	3297	00	00	40
	3297/4181	00	01	57
	3296	00	05	87
	3304	00	00	30
	3305	00	02	79
	3306	00	07	74
	3321	00	00	49
	3331	00	00	18
	3322	00	09	15
	3112	00	07	32
	3323	00	00	43
	3098	00	06	82
	3325	00	00	23
	3097	00	04	61
	3360	00	04	87

	3094	00	00	34
	3497	00	03	22
	3509	00	07	46
	3509/4126	00	05	74
	3527	00	12	76
	3529	00	00	98
	3526	00	06	00
	3544	00	00	80
	3558	00	17	77
	3559	00	03	78
	3560	00	01	30
	3579	00	01	16
	3579/4239	00	01	20
	3592	00	10	18
	3591	00	04	83
	3589	00	00	44
	3586	00	17	29
BAULAJHOLI	843	00	00	10
	846	00	00	10
	917	00	01	52
	926	00	02	21
	922	00	00	45
	925	00	01	46
	927	00	01	64
	928	00	02	05
	973	00	03	03
	974	00	00	10
	973/2288	00	02	12
	976	00	02	84
	977/3152	00	03	41
	977	00	00	27
	978	00	03	01
	978/3194	00	04	86
	978/3195	00	04	03
	980	00	00	78
	1715	00	00	84
	982	00	03	00
	983	00	03	10
	984	00	00	16

	985	00	02	53
	986	00	02	63
	987	00	07	13
	990	00	02	64
	989	00	00	80
	992	00	02	24
	993	00	08	29
	1000	00	00	11
	999	00	06	83
	1000/2275	00	00	56
	1002	00	02	59
	1001	00	02	50
	1004	00	03	80
	1004/3151	00	00	10
	1312/2270	00	00	10
	1313	00	06	38
	1317	00	00	49
	1316	00	06	14
	2087	00	07	17
	2088	00	08	26
	2089	00	04	97
MAHUGHARA HILL	97	00	00	10
	110	00	00	82
	111	00	08	17
	112	00	04	71
	122	00	01	42
	215	00	01	89
	223	00	03	70
	209	00	20	64
	192	00	15	14
	193	00	08	61
PADIRIPALLI	303	00	04	10
	325	00	02	18
	324	00	03	96
	323	00	04	83
	309	00	00	64
	322	00	06	74
	315	00	00	18
	321	00	04	30

	316	00	00	68
	317	00	01	04
	319	00	01	20
	318	00	04	16
	362	00	01	08
	383	00	02	08
	384	00	00	10
	382	00	06	01
	380	00	02	64
	381	00	00	13
	376	00	08	15
	386/653	00	01	54
	395	00	02	67
	390	00	03	43
	391	00	02	52
	393	00	03	16
	392	00	02	52
	394	00	01	43
	437	00	05	27
	438	00	02	46
	439	00	08	99
	434	00	09	82
LANJIA	743	00	01	79
	742	00	00	11
	744	00	08	44
	752	00	01	98
	745	00	02	08
	750	00	00	95
	749	00	03	76
	751	00	04	80
	757	00	03	11
	748	00	00	32
	758	00	06	24
	769	00	00	80
	806	00	01	97
	805	00	02	46
	804	00	01	02
	803	00	00	10
	770	00	00	10

	802	00	03	88
	801	00	03	19
	828	00	01	56
	828/1730	00	01	49
	800	00	03	74
	799	00	00	23
	829	00	01	31
	830	00	02	32
	831	00	02	46
	866	00	04	41
	834	00	00	12
	865	00	03	60
	867	00	02	04
	868	00	03	36
	864	00	00	47
	869	00	00	19
	883	00	05	58
	871	00	03	03
	882	00	00	26
	877	00	05	16
	879	00	05	24
	878	00	04	74
	1029	00	01	75
	1030	00	02	25
	1028	00	00	10
	1022	00	02	87
	1023	00	00	10
	1031	00	00	32
	1020	00	00	66
	1021	00	00	79
	1034	00	01	03
	1041	00	02	12
	1040	00	02	29
	1039	00	01	15
	1038	00	04	19
	1044	00	00	21
	1137	00	03	68
	1138	00	00	10
	1134	00	03	09

	1136	00	01	10
	1135	00	01	48
	1133	00	01	27
	1132	00	05	42
	1126	00	01	87
	1131	00	01	28
	1130	00	02	40
	1129	00	01	86
	1128	00	01	69
	1207	00	01	63
	1209	00	02	44
	1206	00	03	10
	1211	00	02	64
	1212	00	01	39
	1213	00	01	60
	1214	00	04	07
	1215	00	06	80
	1216	00	04	60
	1224	00	01	78
	1225	00	03	42
	1223	00	01	82
	1369	00	06	80
	1369/1436	00	02	09
	1370	00	04	27
	1351	00	02	59
	1349	00	02	68
	1344	00	10	60
	1322	00	02	59
	1323	00	04	31
	1324	00	02	22
	1325	00	01	79
	1326	00	03	22
	1327	00	01	15
	1328	00	00	55
	1318	00	01	31
	1313	00	01	20
	1314	00	01	15
	1308	00	00	95
	1310	00	00	10

	1306	00	01	07
	1309	00	00	17
	1298	00	00	49
	1305	00	01	02
	1304	00	01	71
	1299	00	00	73
	1300	00	00	77
	1301	00	00	54
	1302	00	02	73
	1296	00	01	25
	1295	00	01	46
	1294	00	01	34
	1293	00	01	41
BHAGABANPUR	563	00	04	94
	538	00	04	05
	539	00	09	28
	540	00	01	04
	537	00	00	25
	519	00	11	03
	535/808	00	06	15
	572	00	02	53
	573	00	05	60
	533	00	01	80
	574/860	00	03	24
	574/859	00	02	82
	574/1179	00	01	54
	574	00	01	29
	576	00	08	40
	576/895	00	01	17
	577	00	19	81
	578	00	02	40
	579	00	02	22
	579/1185	00	00	94
	580	00	06	20
	582	00	05	88
	583	00	11	63
	586	00	16	32
	588	00	03	97
	616	00	10	81

	615	00	10	31
	618	00	11	39
	620	00	08	66
	649	00	08	91
	668	00	02	26
	669	00	00	56
	662	00	00	53
	663	00	01	06
	661	00	03	15
	372	00	02	40
	371	00	05	96
	367	00	00	67
	297	00	02	21
	298	00	06	16
	299/791	00	00	60
	208	00	01	24
	209	00	07	76
	205	00	00	94
	206	00	07	54
	207	00	05	58
	202	00	05	82
	201	00	04	66
	201/970	00	00	10
	200	00	02	60
	692	00	02	61
	198	00	01	16
	197	00	02	00
	196	00	07	35
	187	00	00	70
	728	00	00	28
	728/790	00	05	84
	727	00	01	24
	729	00	12	72
	190	00	00	10
	730	00	02	20
	748	00	08	05
	750	00	04	50
	751/890	00	05	41
	755	00	06	71

	756	00	05	43
	754/778	00	00	44
	756/888	00	05	87
	756/887	00	02	70
	759/772	00	05	80
	760	00	14	00
	759	00	05	09
	761	00	01	95
	762/845	00	06	85
	762/846	00	04	36
	763	00	00	72
ANANTAYI	1365	00	03	14
	1366	00	04	64
	1367	00	02	00
	1367/2328	00	05	15
	1367/2330	00	05	15
	1476	00	04	03
	1433	00	08	65
	1438	00	03	62
	1438/2193	00	02	50
	1437	00	01	36
	1435/2175	00	00	51
	1435	00	00	51
	1449	00	08	06
	1450	00	08	96
	1458	00	07	25
	1456	00	00	37
	1457	00	00	50
	1455	00	02	75
	1453	00	00	58
	1454	00	02	90
	1466	00	04	61
	1591	00	00	17
	1590	00	09	45
	1599	00	00	10
	1589	00	00	10
	1606	00	06	08

	1584	00	12	45
	1583	00	00	10
	1582	00	03	63
	1610	00	01	42
	1579	00	03	46
	1580	00	00	55
	1580/1796	00	02	13
	1578	00	02	22
	1613	00	00	56
	1577	00	04	56
	1576	00	01	69
	1575	00	00	77
	1544	00	00	10
	1545	00	06	54
	1546	00	04	11
	1547	00	00	10
	1548	00	02	17
	1571	00	03	90
	1571/2187	00	01	55
	1560	00	04	02
	1560/2157	00	02	64
	1552	00	01	26
	1553	00	06	67
	1554	00	04	45
	1557	00	00	36
	1555	00	02	56
	781	00	05	32
	736	00	00	70
	739	00	06	89
	740	00	04	08
	741	00	01	30
	743	00	09	01
	744	00	04	08
	745	00	02	30
	754	00	07	84
BONTAPALLI	1154	00	00	63
	1159	00	04	38

	1153/2538	00	01	18
	1161	00	02	23
	1161/3007	00	06	68
	1166	00	06	20
	1164	00	01	00
	1165	00	05	17
	1145	00	02	97
	1146	00	02	68
	1147	00	00	10
	1147/2762	00	00	10
	1144	00	09	27
	1135	00	06	34
	1135/1953	00	01	05
	1139	00	02	73
	1139/2552	00	02	73
	1140	00	01	50
	1180	00	05	20
	1138	00	00	10
	1138/2121	00	00	10
	1181	00	01	50
	1215	00	01	54
	1210	00	01	66
	1210/2511	00	00	53
	1210/2884	00	00	10
	1210/2885	00	02	66
	1210/3006	00	03	09
	1210/3009	00	03	09
	1210/3016	00	02	97
	1219	00	01	57
	1224	00	07	64
	1226	00	00	26
	1227	00	00	20
	1222	00	04	18
	1703	00	08	65
	1709	00	00	16
	1701	00	00	10
	1708	00	05	28

	1705	00	00	20
	1707	00	06	49
	1757	00	03	39
	1759	00	01	90
CHAKUNDAJHOLA	165	00	13	15
	165/399	00	01	03
	169	00	21	32
	169/424	00	01	53
	169/427	00	01	40
	169/428	00	01	30
	169/429	00	01	53
	201/371	00	08	49
	201/370	00	13	70
	202	00	01	26
	202/366	00	00	30
	202/368	00	02	84
	207	00	11	29
	211	00	01	71
	211/337	00	04	87
	209	00	16	86
KUSUMI	8/1124	00	10	79
	8/1124/1346	00	09	50
	8	00	00	23
	105/1125	00	01	49
	106	00	00	38
	104	00	00	89
	104/1295/1612	00	02	70
	104/1369	00	01	65
	104/1370	00	04	85
	104/1653	00	03	59
	104/1654	00	01	08
	104/1295	00	13	69
	1294	00	12	26
	1292	00	15	80
	86	00	00	10
	85	00	05	19
	84	00	01	06

	80	00	00	70
	81	00	01	78
	83/1136	00	03	67
	82	00	00	88
	83	00	03	40
	311	00	02	70
	310	00	02	29
	309	00	02	36
	312	00	06	20
	308	00	00	92
	313	00	00	96
	318	00	15	41
	320	00	02	72
	326	00	00	10
	325	00	10	76
	335	00	05	08
	328	00	13	80
	332	00	01	79
	331	00	10	95
	330	00	00	13
	330/1642	00	00	10
	342/966	00	02	21
	343	00	15	38
	343/1345	00	00	60
	343/1371	00	00	85
	343/1585	00	00	83
	344	00	18	04
	292	00	01	84
	292/1457	00	02	23
	292/1537	00	01	53
	292/1547	00	00	76
	292/1551	00	00	46
	292/1548	00	01	40
	292/1549	00	02	75
	292/1623	00	01	68
	291	00	00	11
	291/1077	00	15	47
	291/1613	00	00	65
	291/1640	00	01	54

	430	00	06	12
	430/1376	00	03	05
	430/1403	00	04	56
	431	00	08	41
	431/1377	00	02	96
	448	00	04	45
	447/1334	00	04	19
	1071	00	04	73
	446/1332	00	01	72
	445	00	03	00
	445/1602	00	03	49
	445/1604	00	22	27
	440	00	02	55
ARJUNAPUR	11	00	03	76
	13	00	00	16
	22	00	12	54
	90	00	09	94
	92	00	00	77
	91	00	02	94
	85	00	16	33
	88	00	00	12
	84	00	03	49
	83	00	05	88
	98	00	09	42
	99	00	02	33
	126	00	01	58
JUGUDI	570	00	06	70
	580	00	15	75
	577	00	10	39
	1835	00	16	54
	1830	00	09	85
	1831	00	01	73
	1836	00	00	67
	1838	00	15	85
	1840	00	00	22
	1841	00	06	47

[F. No. R-11025(11)/236/2017-OR-I/E-13717]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 15 मई, 2018

का.आ. 812.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) का धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत के राजपत्र भाग II, खण्ड 3, उपखण्ड (ii) तारीख 16 फरवरी 2017 में पृष्ठ 8 पर प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 493(अ) तारीख 8 फरवरी, 2017 में निम्नलिखित संशोधन करती है, अर्थात् :-

उक्त अधिसूचना की अनुसूची में :-

अनुसूची

तहसील— डभोई		जिला— वडोदरा		राज्य — गुजरात	
के स्थान पर		पढ़े			
मौजा / ग्राम	सर्वे नंबर	मौजा / ग्राम	सर्वे नंबर		
छत्राल	221	छत्राल	211 (250 नया)		

[फा. सं. आर-11025(11)/104/2017-ओआर-I/ई-8039]

पवन कुमार, अवर सचिव

New Delhi, the 15th May, 2018

S.O. 812.—In exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Petroleum and Natural Gas, number S. O. 493(E) dated 8th February 2017, published at page 19 in part II, section 3, sub-section (ii) of the Gazette of India, dated 16th February 2017, namely:-

In the Schedule to the said notification:-

SCHEDULE

Tehsil:- Dabhoi		District:- Vadodara		State:- Gujarat	
For		Read			
Mouja/Village	Survey Number	Mouja/Village	Survey Number		
Chhatral	221	Chhatral	211 (250 New)		

[F. No. R-11025(11)/104/2017-OR-I/E-8039]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 15 मई, 2018

का.आ. 813.—केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोक हित में यह आवश्यक है कि आंध्र प्रदेश राज्य में पेट्रोलियम उत्पादों के परिवहन के लिए पारादीप-हैदराबाद पाइपलाइन परियोजना के क्रियान्वयन हेतु इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि ऐसी भूमि में जो इस से ऊपबद्ध अनुसूची में वर्णित है, और जिसमें उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितवद्ध है, उस तारीख से, जिसको इस अधिसूचना में युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस (21) दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के संबंध में श्री के. ए. एस जेन्सिन, सक्षम प्राधिकारी (आंध्र प्रदेश), इंडियन ऑयल कॉर्पोरेशन लिमिटेड (पाइपलाइन प्रभाग), पारादीप-हैदराबाद पाइपलाइन परियोजना, प्लॉट संख्या 33, कनका दुर्गा ऑफिसर्स कॉलोनी, गुरुनानक नगर मेन रोड विजयवाड़ा-520008, आंध्र प्रदेश राज्य को लिखित रूप से आक्षेप भेज सकेगा।

अनुसूची

जिला: कृष्णा			राज्य: आन्ध्र प्रदेश		
मंडलका नाम	ग्राम का नाम	सर्वे नम्बर	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
(1)	(2)	(3)	(4)	(5)	(6)
छत्रय	बुरुगुडेम	53/8	00	07	24
ए.कौंडूरु	माधवरम वेस्ट	185/1	00	36	34
		220	00	50	53
जी.कोन्डूरु	चेवुदूरु	52/4C	00	00	01
		54/4	00	14	67
		72/1B	00	02	75
		72/1A	00	06	72
		73/2B	00	01	94
		73/2A	00	12	61
जी.कोन्डूरु	कोन्डूरु	21/2	00	05	96
		21/1B	00	04	48
		21/1A	00	25	06
		30/1	00	06	32
		29/1	00	20	86
		29/2	00	00	50
		36	00	04	68
		35/1	00	00	99
		37/4	00	19	77
		38/1	00	02	86
		43/3	00	16	73
		44/3A	00	13	90

		44/2	00	12	33
		44/4B1	00	05	71
		44/4A	00	04	78
		46	00	00	75
		52/2	00	06	78
		56/1C	00	05	00
जी.कोन्डूरू	गड्डामनुगु	51/3	00	05	41
		52/5	00	28	95
		53/2	00	25	45
		46/2	00	20	00
जी.कोन्डूरू	मुनगापाडु	148/A2B	00	08	34
जी.कोन्डूरू	लोया	99/2B1	00	11	85
पेनुगंचिप्रोलु	पेनुगंचिप्रोलु	328/1B	00	23	22
		328/1A	00	23	31
वत्सवाई	भीमावरम	434/2	00	00	53
		25/2D	00	16	07
		25/2C	00	04	72
		25/1B	00	18	30
जगय्यापेटा	बल्सुपाडू	69/3C/1B	00	07	83

[फा. सं. आर-11025(11)/252/2017-ओआर-I/ई-21033]

पवन कुमार, अवर सचिव

New Delhi, the 15th May, 2018

S.O. 813.—Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of petroleum products in the state of Andhra Pradesh a pipeline should be laid for implementing Paradip-Hyderabad Pipeline Project under Paradip-Hyderabad Pipeline by the Indian Oil Corporation Limited;

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by Sub Section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, who is interested in the land described in the said schedule, may submit objection in writing to Shri. K.A.S Jennyson, Competent Authority (Andhra Pradesh), Indian Oil Corporation Limited (Pipelines Division), Paradip Hyderabad Pipeline Project, Plot No. 33, Kanaka Durga officer's Colony, Gurunank Nagar Main Road, Vijayawada -520008 within twenty one (21) days from the date on which the copies of this notification issued under

Sub-section (1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public.

SCHEDULE

District : Krishna			State : Andhra Pradesh		
Name of Mandal	Name of Village	Survey No.	Area		
			Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)
Chatrai	Burugugudem	53/8	00	07	24
A.Konduru	Madhavaram West	185/1	00	36	34
		220	00	50	53
G. Konduru	Chevuturu	52/4C	00	00	01
		54/4	00	14	67
		72/1B	00	02	75
		72/1A	00	06	72
		73/2B	00	01	94
		73/2A	00	12	61
G. Konduru	Konduru	21/2	00	05	96
		21/1B	00	04	48
		21/1A	00	25	06
		30/1	00	06	32
		29/1	00	20	86
		29/2	00	00	50
		36	00	04	68
		35/1	00	00	99
		37/4	00	19	77
		38/1	00	02	86
		43/3	00	16	73
		44/3A	00	13	90
		44/2	00	12	33
		44/4B1	00	05	71
		44/4A	00	04	78
		46	00	00	75
		52/2	00	06	78
		56/1C	00	05	00
G. Konduru	Gaddamanugu	51/3	00	05	41
		52/5	00	28	95
		53/2	00	25	45
		46/2	00	20	00
G.Konduru	Munagapadu	148/A2B	00	08	34
G.Konduru	Loya	99/2B1	00	11	85

Penuganchiprolu	Penuganchiprolu	328/1B	00	23	22
		328/1A	00	23	31
Vatsavai	Bhimavaram	434/2	00	00	53
		25/2D	00	16	07
		25/2C	00	04	72
		25/1B	00	18	30
Jaggayyapeta	Balsupadu	69/3C/1b	00	07	83

[F. No. R-11025(11)/252/2017-OR-I/E-21033]

PAWAN KUMAR, Under Secy.

नई दिल्ली, 15 मई, 2018

का.आ. 814.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 उप धारा (1) के अधीन जारी की गई, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.आ. 2098 तारीख 06.09.2017 जिसका प्रकाशन भारत के राजपत्र संख्या 36, भाग II, खण्ड 3, उप खण्ड (ii) तारीख 09.09.2017 में किया गया है। इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट आंध्रप्रदेश राज्य के मंडल : जी.कोन्डूरु जिला: कृष्णा की भूमि में, ओडीशा राज्य में पारादीप से तेलंगाना राज्य में हैदराबाद तक पेट्रोलियम उत्पादों के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड के द्वारा क्रियान्वित किए जा रहे “पारादीप-हैदराबाद पाइपलाइन परियोजना” के संबंध में पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी:

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को उपलब्ध करा दी गई थीं। और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है।

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिष्पत्ति किया है:

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के उपयोग का अधिकार अर्जित किया जाए:

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने के बजाए सभी विल्लंगमों से मुक्त होकर इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

जिला: कृष्णा			राज्य: आन्ध्र प्रदेश		
मंडल का नाम	ग्राम का नाम	सर्वे नम्बर	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
(1)	(2)	(3)	(4)	(5)	(6)
जी.कोन्डूरु	कोन्डूरु	43/6	00	05	37
		45/1	00	00	09
		47	00	44	02
		48/1	00	45	14

		53/1	00	26	06
		78/1A	00	21	50
		54/1	00	06	62
		54/2A	00	14	47
		54/2B	00	04	43
		54/2C	00	06	68
		61/1	00	29	55
		61/2	00	00	29
		60/4	00	13	04
		60/3	00	17	85
		60/2	00	02	02
		56/4	00	23	71
जी.कोन्दूरु	गड्डामनुगु	40/B 2	00	06	79
		40/B 1	00	10	97
		40/ A	00	01	07
		13	00	30	68
		15/1 A	00	02	39
		15/1 F	00	14	36
		15/1 G	00	00	03
		15/1 E	00	03	72
		15/1 D	00	03	40
		15/1 C	00	04	42
		15/1 B	00	04	18
		18/1	00	19	40
		19	00	40	02
		20/3	00	04	07
		132/1B	00	17	51
		132/2A	00	16	09
		132/3C	00	15	15

		136/A 5B	00	09	25
		136/A 4 A	00	11	32
		136/A 3 A/2	00	05	08
		136/A 3 C/1	00	01	32
		136/A 2 C	00	02	90
		136/B 1	00	10	95
		162/2 A	00	02	95
		162/2 B	00	06	92
		163/1	00	23	91
		162/2 C	00	25	82
		153/2C	00	02	47
		153/1A3	00	17	05
जी.कोन्डूरू	चेरुवु माधवरम	81/3	00	05	41
		81/2.B	00	11	23
		81/2.A	00	02	63
		86/2	00	22	98
		169/1	00	29	79
		169/2	00	08	84
		169/3	00	07	41
		172/4	00	19	77
		175/2	00	23	69
		175/1	00	04	81
		175/3	00	00	63
		176	00	39	05
जी.कोन्डूरू	कवलूर	17/1	00	01	46
		18/1A	00	08	82
		18/2A	00	16	22
		18/3A	00	09	39
		18/4	00	11	35

		19/2A	00	12	07
		19/2B	00	06	67
		19/2C	00	08	89
		19/2D	00	16	04
		50/2A	00	06	23
		50/2B	00	10	08
		50/3	00	17	09
		50/4	00	07	58
		51/1A	00	02	56
		51/2	00	13	61
		51/3	00	15	11
		65/1	00	13	51
		65/2	00	03	97
		63/1	00	08	45
		63/4	00	06	22
		63/3	00	01	41
		63/6	00	03	53
		63/9	00	00	05
		63/7	00	04	07
		63/8	00	17	44
		63/19	00	00	06
		63/20	00	00	06
		64/2B	00	09	76
		64/2C	00	12	22
		64/3	00	00	76
		49/1B	00	00	06
		50/1B	00	04	13
		50/1A	00	01	50
		49/2A	00	00	64

		44	00	12	44
जी.कोन्दूरू	लोया	95/1B	00	04	65
		96/2	00	30	36
		99/1B	00	14	10
		99/2B3	00	00	42
		102/1B	00	09	54
		105	00	01	27
		124/1	00	10	95
		126/13	00	02	91
		126/12	00	04	74
		126/10	00	08	08
		126/9	00	06	76
		126/8	00	00	68
		126/6	00	01	18
		126/7	00	06	60
		126/4	00	03	05
		126/3	00	05	69
		126/2	00	06	20
		126/1	00	08	60
		127	00	41	71
		130/2	00	28	26
		130/1	00	17	81
		117	00	07	64
		114/2	00	11	79
		114/1	00	24	34
		87/2C3	00	03	25
		87/2B	00	05	14
		87/2C1	00	02	59
		56/2	00	13	46

		57/2	00	20	46
		56/1A	00	18	88
		55/2	00	07	56
		40/2	00	36	24
		39	00	19	96
		38/1B	00	21	92
		10	00	02	35
		11/1C1	00	26	90
		12	00	06	08
		8	00	32	61
		16	00	12	15
		18/3C	00	14	77
		18/3A	00	62	60
जी.कोन्डूरु	सुन्नमपाडु	13	00	00	88
		15	00	46	21
		76/1	00	42	36
जी.कोन्डूरु	दुगिरालापाडु	69	00	40	69

[फा. सं. आर-11025(11)/252/2017-ओआर-I/ई-21033]

पवन कुमार, अवसर सचिव

New Delhi, the 15th May, 2018

S.O. 814.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, published in the Gazette of India No.36 Part-II, Section 3, Sub-section (ii) dated 09.09.2017 vide S.O. Number 2098 dated 06.09.2017 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act) the Central Government declared its intention to acquire the right of user in the land situated in Mandal G.Konduru District Krishna in Andhra Pradesh State, specified in the Schedule appended to that notification for the purpose of laying pipeline for the transportation of petroleum products from Paradip in the State of Odisha to Hyderabad in the State of Telangana by the Indian Oil Corporation Limited for implementing the "Paradip-Hyderabad Pipeline Project".

And whereas the copies of the Gazette were made available to the public. And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, has submitted his report of Central Government.

And whereas, the Central Government after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of the user therein;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user of the said land for laying the pipeline shall, instead of vesting in the Central Government, vests on the date of publication of the declaration, in India Oil Corporation Limited, free from all encumbrances.

SCHEDULE

District : Krishna			State : Andhra Pradesh		
Name of Mandal	Name of Village	Survey No.	Area		
			Hectare	Are	Square Metre
(1)	(2)	(3)	(4)	(5)	(6)
G. Konduru	Konduru	43/6	00	05	37
		45/1	00	00	09
		47	00	44	02
		48/1	00	45	14
		53/1	00	26	06
		78/1A	00	21	50
		54/1	00	06	62
		54/2A	00	14	47
		54/2B	00	04	43
		54/2C	00	06	68
		61/1	00	29	55
		61/2	00	00	29
		60/4	00	13	04
		60/3	00	17	85
		60/2	00	02	02
		56/4	00	23	71
G.Konduru	Gaddamanugu	40/B 2	00	06	79
		40/B 1	00	10	97
		40/ A	00	01	07
		13	00	30	68
		15/1 A	00	02	39
		15/1 F	00	14	36
		15/1 G	00	00	03
		15/1 E	00	03	72
		15/1 D	00	03	40
		15/1 C	00	04	42
		15/1 B	00	04	18
		18/1	00	19	40
		19	00	40	02

		20/3	00	04	07
		132/1B	00	17	51
		132/2A	00	16	09
		132/3C	00	15	15
		136/A 5B	00	09	25
		136/A 4 A	00	11	32
		136/A 3 A/2	00	05	08
		136/A 3 C/1	00	01	32
		136/A 2 C	00	02	90
		136/B 1	00	10	95
		162/2 A	00	02	95
		162/2 B	00	06	92
		163/1	00	23	91
		162/2 C	00	25	82
		153/2C	00	02	47
		153/1A3	00	17	05
G.Konduru	Cheruvu Madhavaram	81/3	00	05	41
		81/2.B	00	11	23
		81/2.A	00	02	63
		86/2	00	22	98
		169/1	00	29	79
		169/2	00	08	84
		169/3	00	07	41
		172/4	00	19	77
		175/2	00	23	69
		175/1	00	04	81
		175/3	00	00	63
		176	00	39	05
G.Konduru	Kavuluru	17/1	00	01	46
		18/1A	00	08	82
		18/2A	00	16	22
		18/3A	00	09	39
		18/4	00	11	35
		19/2A	00	12	07
		19/2B	00	06	67
		19/2C	00	08	89
		19/2D	00	16	04

		50/2A	00	06	23
		50/2B	00	10	08
		50/3	00	17	09
		50/4	00	07	58
		51/1A	00	02	56
		51/2	00	13	61
		51/3	00	15	11
		65/1	00	13	51
		65/2	00	03	97
		63/1	00	08	45
		63/4	00	06	22
		63/3	00	01	41
		63/6	00	03	53
		63/9	00	00	05
		63/7	00	04	07
		63/8	00	17	44
		63/19	00	00	06
		63/20	00	00	06
		64/2B	00	09	76
		64/2C	00	12	22
		64/3	00	00	76
		49/1B	00	00	06
		50/1B	00	04	13
		50/1A	00	01	50
		49/2A	00	00	64
		44	00	12	44
G.Konduru	Loya	95/1B	00	04	65
		96/2	00	30	36
		99/1B	00	14	10
		99/2B3	00	00	42
		102/1B	00	09	54
		105	00	01	27
		124/1	00	10	95
		126/13	00	02	91
		126/12	00	04	74
		126/10	00	08	08
		126/9	00	06	76

		126/8	00	00	68
		126/6	00	01	18
		126/7	00	06	60
		126/4	00	03	05
		126/3	00	05	69
		126/2	00	06	20
		126/1	00	08	60
		127	00	41	71
		130/2	00	28	26
		130/1	00	17	81
		117	00	07	64
		114/2	00	11	79
		114/1	00	24	34
		87/2C3	00	03	25
		87/2B	00	05	14
		87/2C1	00	02	59
		56/2	00	13	46
		57/2	00	20	46
		56/1A	00	18	88
		55/2	00	07	56
		40/2	00	36	24
		39	00	19	96
		38/1B	00	21	92
		10	00	02	35
		11/1C1	00	26	90
		12	00	06	08
		8	00	32	61
		16	00	12	15
		18/3C	00	14	77
		18/3A	00	62	60
G. Konduru	Sunnampadu	13	00	00	88
		15	00	46	21
		76/1	00	42	36
G. Konduru	Duggiralapadu	69	00	40	69

[F. No. R-11025(11)/252/2017-OR-I/E-21033]

PAWAN KUMAR, Under Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 7 मई, 2018

का.आ. 815.—केन्द्र सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 (यथासंशोधित, 1987) के नियम 10 के उप-नियम (4) के अनुसरण में, श्रम और रोजगार मंत्रालय के प्रशासकीय नियंत्रणाधीन निम्नलिखित कार्यालय को, जिनके 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, एतद्वारा अधिसूचित करती है:

01. शाखा कार्यालय, पठानकोट
02. शाखा कार्यालय, होशियारपुर
03. शाखा कार्यालय, अमृतसर

[सं. ई-11016/1/2017-रा.भा.नी.]

देवेन्द्र सिंह, आर्थिक सलाहकार

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 7th May, 2018

S.O. 815.—In pursuance of Sub-Rule (4) of Rule of the Official Languages (Use for official purposes of the Union) Rules, 1976 (as amended, 1987) the Central Government hereby notifies the following office under the administrative control of the Ministry of Labour & Employment, more than 80% Staff whereof have acquired working knowledge of Hindi.

01. Branch Office, Pathankot
02. Branch Office, Hoshiyarpur
03. Branch Office, Amritsar

[No. E-11016/1/2017-RBN]

DEVENDER SINGH, Economic Adviser

नई दिल्ली, 14 मई, 2018

का.आ. 816.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बैंक ऑफ राजस्थान लिमिटेड प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय औद्योगिक अधिकरण जयपुर के पंचाट (संदर्भ संख्या 09/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14.05.2018 को प्राप्त हुआ था।

[सं. एल-12012/177/96-आईआर (बी-1)]

बी.एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 14th May, 2018

S.O. 816.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 09/98) of the Central Government Industrial Tribunal-cum-Labour Court Jaipur as shown in the Annexure, in the industrial dispute between the management of Bank of Rajasthan Ltd. and their workmen, received by the Central Government on 14.05.2018.

[No. L-12012/177/96-IR (B-I)]

B.S. BISHT, Section Officer

अनुबंध**केन्द्रीय औद्योगिक न्यायाधिकरण, जयपुर**

पीठासीन अधिकारी:— गिरीश कुमार शर्मा, आर.एच.जे.एस.

केस नंबर सी.आई.टी. 09/98**सी.आई.एस. 03/14****रैफरेंस:** केन्द्र सरकार, श्रम मंत्रालय, नई दिल्ली का आदेश क्रमांक एल.-12012/177/96 आई.आर.[बी.] केन्द्र सरकार, दिनांक 1.10.97

अनादि कौशिक पुत्र श्री एल.एस. कौशिक निवासी-13, शालीमार बाग, अजमेर रोड, हीरापुरा, जयपुर।

...प्रार्थी।

बनाम

- (1) बैंक ऑफ राजस्थान वर्तमान में आई.सी.आई.सी.आई. बैंक लि. जरिये
जनरल मैनेजर चौमू हाउस, सी-स्कीम, जयपुर।
- (2) मैनेजर, बैंक ऑफ राजस्थान, उद्योग भवन, तिलक मार्ग, जयपुर।

...विपक्षीगण।

उपस्थित :

प्रार्थी की ओर से : विद्वान प्रतिनिधि श्री जुगल किशोर अग्रवाल।

अप्रार्थी बैंक की ओर से : विद्वान प्रतिनिधि श्री रुपीन काला ।

दिनांक : 15.11.2017

अधिनिर्णय

केन्द्र सरकार, श्रम मंत्रालय, नई दिल्ली से उपरोक्त आदेश के जरिये निम्न अनुसूची का विवाद अधिनिर्णय हेतु इस अधिकरण को दिनांक 29.7.98 को प्राप्त हुआ है।

"Whether the action of the Managment of Bank of Rajasthan Ltd.,Jaipur is justified in terminating the services of Sh.Anadi Kaushik[Workman] w.e.f.19-7-95[AN,without paying him notice pay and retrenchment compensation in violatiron of section 25-F of I.D.Act,1947 ? If not,what relief to the workmen is entitled to ? "

प्रकरण दर्ज रजिस्टर किया जाकर उभय पक्षकारान को नोटिस जारी किए गए। प्रार्थी श्री अनादि कौशिक की ओर से दिनांक 26.8.98 को स्टेटमेंट ऑफ क्लेम पेश कर अभिकथन किया गया कि कर्मचारी की अप्रार्थी बैंक की उद्योग भवन शाखा में प्रारम्भिक नियुक्ति दिनांक 22 अगस्त 1994 में पासबुक राईटर के रूप में की गई थी तथा बिना किसी व्यवधान के प्रार्थी श्रमिक विभिन्न पदों पर 19 जुलाई 1995 तक लगातार कार्य करता रहा तथा अचानक दिनांक 19.7.95 को अप्रार्थी बैंक के अधिकारियों को इस बात का ध्यान आया कि प्रार्थी करीब एक वर्ष कार्य कर चुका है तथा एक वर्ष में भी 240 दिवस से अधिक कार्य कर चुका है तथा इस प्रकार प्रार्थी को अप्रार्थी बैंक से स्थायी रूप से कार्य करने का कानूनी अधिकार प्राप्त हो गया तथा लगातार बने रहने का भी अधिकार प्राप्त हो गया तथा इस एक वर्ष की अवधि को कम करने के लिए अप्रार्थी बैंक ने प्रार्थी की माह नवंबर व दिसंबर 1994 की उपस्थिति काटने की कोशिश की तथा प्रार्थी को दिनांक 2.3.95 के बाद उपस्थिति नहीं करने की परन्तु केवल हाजिरी रजिस्टर में हाजिरी लगाने अथवा नहीं लगाने से कोई फर्क नहीं पड़ता है तथा अप्रार्थी बैंक के मैनेजर ने यह लिखकर देने का दबाव डाला कि प्रार्थी यह लिखकर दे देवे कि प्रार्थी उक्त अवधि में कार्य करने का कोई काम का दावा नहीं करेगा और ऐसा नहीं करने के कारण प्रार्थी को दिनांक 20.7.95 से ड्यूटी पर नहीं आने के आदेश दे दिये गये तथा इस प्रकार प्रार्थी की सेवाएँ दिनांक 20.7.95 से समाप्त कर दी गयी। प्रार्थी ने अपनी प्रथम नियुक्ति दिनांक 22 अगस्त 1994 से लेकर दिनांक 19.7.95 तक लगातार बिना किसी व्यवधान के अपनी सेवाएँ अप्रार्थी को अर्पित की हैं तथा अप्रार्थीगण ने प्रार्थी की सेवाएँ समाप्त करने से पूर्व औद्योगिक विवाद अधिनियम के सभी प्रावधानों को ताक में रख दिया तथा न तो कोई वरिष्ठता सूची बनाई और ना ही कोई नोटिस अथवा नोटिस के ऐवज में नोटिस के वेतन का ही भुगतान प्रार्थी को किया गया तथा नई भर्ती करने से पूर्व कोई सूचना भी प्रार्थी को नहीं दी गई, जो कि कानूनी रूप से अनिवार्य थी। इस प्रकार अप्रार्थीगण द्वारा प्रार्थी की सेवा समाप्त करना औद्योगिक विवाद अधिनियम की धारा-25 एफ. जी. एच. एवं एन. के प्रावधानों के विपरीत है, जबकि इनकी पालना करना मैन्डेटरी है। अतः प्रार्थी की सेवामुक्ति को अनुचित व अवैध विशेषकर औद्योगिक विवाद अधिनियम, 1947 की धारा-25 एफ.जी.एच. एवं एन. के प्रावधानों के विपरीत तथा इस एक्ट के अन्तर्गत बने नियम 77 व 78 के प्रावधानों के विपरीत घोषित किया जाने तथा प्रार्थी को पिछले समस्त वेतन व सेवा लाभों के साथ विपक्षी संस्थान में पुनः बहाली का घोषित किया जाने तथा प्रार्थी को पिछले वेतन व सेवालाभों पर ब्याज व वाद का खर्च भी दिलाये जाने की प्रार्थना की है साथ ही क्षतिपूर्ति के रूप में मुआवजा भी दिलाये जाने की प्रार्थना की है।

विपक्षी बैंक की ओर से प्रार्थी यूनियन के स्टेटमेंट ऑफ क्लेम का जवाब प्रस्तुत कर अभिकथन किया है कि बैंक ऑफ राजस्थान द्वारा एक नीतिगत निर्णय इस प्रकार का लिया गया था कि ऐसे विद्यार्थी जो कि अध्ययनरत हैं और जो अध्ययनरत रहते हुए स्वावलम्बी बनना चाहते हैं, उन्हें बैंक में ग्राहकों को पासबुक लिखने हेतु ऐगेज किया जावे तथा एक विद्यार्थी मात्र दो घंटे के लिए पार्ट टाइम असाईनमेंट पर रखे गये थे और उन्हें लिपिकीय वर्ग की ग्रेड का 1/3 रेमुनेरेशन के तौर पर भुगतान किया जाता था तथा ऐसे विद्यार्थी बैंक के कभी कर्मचारी नियोजित नहीं किए गए थे और औद्योगिक विवाद अधिनियम 1947 की धारा-2एस. के तहत ऐसे विद्यार्थी कर्मकार की परिधि में नहीं आते हैं। प्रार्थी अनादि कौशिक को भी

अंशकालीन तौर पर पासबुक राईटर की हैसियत से रखा गया था तथा प्रार्थी ने कुल 179 दिन से अधिक विपक्षी बैंक में अंशकालीन पासबुक राईटर की हैसियत से काम नहीं किया है तथा प्रार्थी को प्रथम बार दिनांक 22.8.94 से 21.8.94 तक व फिर दिनांक 6.12.94 से 2.3.95 तक की अवधि में पासबुक राईटर का काम दिया गया था और इस तरह उक्त अवधि समाप्त हो जाने के बाद प्रार्थी का विपक्षी के यहां कार्य स्वतः समाप्त हो गया तथा प्रार्थी को कभी किसी नियम या प्रक्रिया को अपनाया जाकर नियमित रूप से नियुक्ति विपक्षी बैंक में प्रदान नहीं की गई थी और ऐसी स्थिति में वह कर्मकार की परिधि में नहीं माना जा सकता है तथा ऐसी में जो विवाद उठाया गया है वह औद्योगिक विवाद की तारीफ में नहीं माना जा सकता इस प्रकार प्रार्थी की ओर से प्रस्तुत क्लेम सरसरीतौर पर ही खारिज किये जाने योग्य होना अभिकथन करते हुए निवेदन किया है कि चूंकि प्रार्थी अधिनियम की धारा-2एस.के तहत कर्मकार की परिधि में नहीं आता है, इसलिए उस पर औद्योगिक विवाद अधिनियम के प्रावधान लागू नहीं होते हैं, इसलिए उसका यह क्लेम चलने योग्य नहीं है और यदि प्रार्थी पर औद्योगिक विवाद अधिनियम के प्रावधान लागू होना माना भी जाता है तो भी उसका मामला अधिनियम की धारा-2 ओ ओ (बीबी) के तहत आता है और वह किसी प्रकार की राहत प्राप्त करने का अधिकारी नहीं है। अन्त में प्रार्थी की ओर से प्रस्तुत स्टेटमेंट ऑफ क्लेम खारिज किये जाने की प्रार्थना की है।

मैंने उभय पक्ष के विद्वान प्रतिनिधिगण की बहस सुनी एवं पत्रावली का अवलोकन किया।

अब न्यायाधिकरण के समक्ष अवधारणीय बिन्दु यह है कि क्या प्रार्थी कर्मकार श्री अनादि कौशिक का विपक्षी बैंक से पासबुक राईटर के पद से सेवापर्यावसान दिनांक 19.7.95 को औद्योगिक विवाद अधिनियम की धारा-25एफ.के प्रावधानों के अतिलंघन में किया है ? यदि हाँ, तो प्रार्थी कर्मकार क्या अनुतोष पाने का हकदार है ?

अब इस संबंध में सर्वप्रथम प्रार्थी कर्मकार अनादि कौशिक की साक्ष्य का परिशीलन करें तो उसने मुख्य परीक्षा में बताया है कि विपक्षी बैंक में उसकी प्रथम नियुक्ति पास बुक राईटर के रूप में दिनांक 22.8.1994 को की गई थी तथा तभी से वह लगातार अप्रार्थी संस्थान में दिनांक 19.7.1995 तक उसने कार्य किया तथा प्रथम नियुक्ति तिथि 22.8.1994 से उसे सेवामुक्त किया गया तब तक उसने 240 दिवस से अधिक अवधि तक विपक्षी संस्थान में कार्य किया था तथा जब वह 20.7.95 को ड्यूटी पर गया तो उसे ड्यूटी पर नहीं लिया गया तथा उक्त अवधि में उसने पासबुक राईटर के अलावा लेजर पोस्टिंग, कम्प्यूटर आपरेटर का कार्य, बी.पी. व अन्य लोन की सप्लीमेन्टरी लिखने का तथा क्लीयरिंग का कार्य भी किया था तथा 240 दिन से अधिक कार्य करने के कारण उसे विपक्षी बैंक में स्थायी रूप से कार्य करने का अधिकार प्राप्त हो गया तथा विपक्षी बैंक में 100 से अधिक श्रमिकगण कार्यरत हैं तथा विपक्षी ने उसे बिना नोटिस दिये सेवामुक्त किया है। उसकी विपक्षी बैंक की तिलकमार्ग शाखा में उपस्थिति दर्ज है तथा दस्तावेज प्रदर्श डब्ल्यू.1 से डब्ल्यू.4 प्रस्तुत किये गये हैं। जिरह में इस गवाह ने यह स्वीकार किया है कि प्रदर्श एम.1 से जो भुगतान देना उसे बताया है, वह उसने प्राप्त किया था तथा प्रदर्श एम.2 से प्रदर्श एम.12 पर उसके हस्ताक्षर हैं। जिरह में गवाह ने इस सुझाव से इन्कार किया है कि अनेक्स्चर ए उसने मिथ्या बनाया हो बल्कि उसने दिनांक 22.8.94 से 2.3.95 तक कार्य किया है। जिरह में गवाह ने यह स्वीकार किया है कि बैंक में पासबुक राईटर का कार्य किया, उस समय वह विद्यार्थी था तथा राजस्थान विश्वविद्यालय में अध्ययनरत था तथा उसने फुलटाईम कार्य किया था। जिरह में गवाह ने यह स्वीकार किया है कि उसके पास बैंक का लिखित में आदेश दिनांक 3.3.95 से 19.7.95 तक का नहीं है, लेकिन उसने बैंक में प्रबन्धक की अनुज्ञा से कार्य किया था तथा उसे कोई बैंक की स्कीम का मालुम नहीं है। जिरह में इस गवाह ने यह स्वीकार किया है कि उसकी नियुक्ति के लिए वह बैंक के किसी सलैक्शन बोर्ड के सामने उपस्थित नहीं हुआ तथा यह स्वीकार किया है कि उसका नाम रोजगार कार्यालय द्वारा प्रस्तुत किया गया हो। जिरह में गवाह ने इस सुझाव से इन्कार किया है कि उसने अपैक्स कम्पनी में दिनांक 22.8.94 से 21.11.94 और दिनांक 6.12.94 से 2.3.95 तक ही काम किया हो, उसने तो दिनांक 22.8.94 से 19.7.95 तक लगातार काम किया है तथा उसने पासबुक राईटर के अलावा अन्य कार्य प्रबन्धक के मौखिक आदेश से किये थे तथा वह 10 बजे से 7-8 बजे तक कार्य करता था तथा गवाह ने इस सुझाव से इन्कार किया है कि दिनांक 2.3.95 से वह बैंक का कार्य छोड़ चुका हो तथा उसके बाद काम करने नहीं आया हो तथा गवाह ने जिरह में यह स्वीकार किया है कि दिनांक 20.7.95 से सेवामुक्त करने के बारे में कोई लिखित आदेश नहीं दिया था मौखिक आदेश दिया था। गवाह ने जिरह में यह स्वीकार किया है कि उसके शपथपत्र के पैरा नं.5 में जो उससे जूनियर व्यक्तियों व नये श्रमिकों की भर्ती करने का जो उल्लेख किया है उसकी जानकारी उसे नहीं है। अनेक्स्चर-ए.1 उसके द्वारा बनाया हुआ है।

अप्रार्थी साक्षी-1 नरेन्द्र कुमार जैन ने अपनी साक्ष्य में बताया है कि विपक्षी बैंक ने एक नीतिगत निर्णय इस प्रकार लिया था जो विद्यार्थी अध्ययनरत रहते हुए आर्थिक सहयोग हेतु पार्ट टाइम कार्य करना चाहते हैं, उन्हें बैंक के ग्राहकों की पासबुक लिखने हेतु अनुबन्धित किया जावे, ऐसे विद्यार्थी मात्र दो घंटे के लिए पार्टटाईम असाइनमेंट पर रखे जाते थे और उन्हें लिपिकीय वर्ग का 1/3 रेमनरेशन के तौर पर भुगतान किया जाता था।

इस प्रकार अनुबंधित किए गए ऐसे व्यक्ति औद्योगिक विवाद अधिनियम 1947 की धारा-2(एस.)के तहत कर्मकार की परिभाषा में नहीं आते तथा प्रार्थी श्री अनादि कौशिक प्रदर्श एम.2 के आधार पर अंशकालीन तौर पर पासबुक राईटर के रूप में नियुक्त किया गया था, जिसने कुल मिलाकर अंशकालीन तौर पर पासबुक राईटर की हैसियत से 179 दिन कार्य किया है तथा श्रमिक ने प्रथम बार दिनांक 22.8.94 से 21.11.94 व उसके पश्चात दिनांक 6.12.94 से 2.3.95 तक की अवधि में कार्य किया था तथा दिनांक 2.3.95 के पश्चात उसे नियुक्ति नहीं दी गई थी तथा प्रार्थी का दिनांक 6.12.94 से 2.3.95 तक का नियुक्तिपत्र प्रदर्श एम.20 है तथा दिनांक 20.7.95 तक विपक्षी के यहां कार्य नहीं किया था तथा निांक 6.12.94 से 2.3.95 तक का प्रार्थी को भुगतान भी किया गया है तथा प्रार्थी की नियुक्ति की अवधि दिनांक 2.3.95 को समाप्त हो चुकी थी तथा अंशकालीन कर्मचारियों से संबंधित नियम प्रदर्श एम.13 हैं तथा प्रार्थी उपस्थिति पंजिका में स्वयं अपने हाथ से उपस्थिति दर्ज करता था जो प्रदर्श एम.3 से एम.6 है तथा विपक्षी बैंक व अपैक्स कम्प्यूटर सर्विस के मध्य डाटा एन्ट्री सर्विसेज ऑन लाईन करने का अनुबन्ध हुआ था, जिसका पत्र प्रदर्श एम.14 है तथा प्रार्थी ने अपैक्स कम्प्यूटर सर्विस की ओर से मार्च 1995 में कार्य किया, जिसके बाउचर प्रदर्श एम.21 से एम.24 हैं तथा प्रार्थी श्रमिक द्वारा विपक्षी बैंक में किया गया कार्य विवरण प्रदर्श एम.1 है तथा प्रार्थी ने 240 दिन कार्य नहीं किया है तथा अपैक्स कम्प्यूटर सर्विसेज एजेन्सी द्वारा प्रेषित पत्र प्रदर्श एम.1 से एम.19 हैं तथा दिनांक 3.3.95 से 29.7.95 तक की अवधि में कार्य करने के लिए प्रार्थी को कोई आदेश विपक्षी बैंक द्वारा नहीं दिया गया था। जिरह में इस गवाह ने इस सुझाव से इन्कार किया है कि प्रदर्श एम.20 उपस्थिति रजिस्टर के ए से बी व सी से डी भाग बाद में लिखा हो तथा इस गवाह ने जिरह में इस सुझाव से इन्कार किया है कि प्रार्थी सुबह 10 बजे से सांय 5 बजे तक काम करता हो तथा नियुक्ति आदेश टाईप से लिखा जाता हो तथा प्रदर्श एम.20 से पहले भी आदेश दिये होंगे तथा इससे पहले अगस्त से नवंबर तक का आदेश है, जो पत्रावली में शामिल नहीं है तथा इस नियुक्ति आदेश में यह नहीं लिखा हुआ है कि विद्यार्थी होने की वजह से नियुक्ति दी जा रही है। जिरह में इस गवाह ने बताया है कि प्रार्थी कर्मकार ने दिनांक 2.3.95 के पश्चात् अपैक्स कम्प्यूटर सर्विसेज का काम चला जिसमें बैंक के कम्प्यूटर का कार्य किया था तथा पासवर्ड केवल बैंक कर्मचारी का डाला जाता है तथा गवाह ने जिरह में यह बताया है कि प्रदर्श एम.21 से एम.24 पर अनादि कौशिक के हस्ताक्षर हैं।

अप्रार्थी साक्षी 2 राजेश सिंघल ने अपनी साक्ष्य में बताया है कि अपैक्स कम्प्यूटर सर्विसेज नाम का संस्थान उसकी पत्नि के नाम से है तथा विपक्षी बैंक से कोटेशन स्वीकृति का पत्र दिनांक 6.6.95 प्रदर्श एम.18 तथा अनादि कौशिक के द्वारा बैंक का ठेके के अनुसार कार्य सम्पादन करने बाबत पत्र दिनांक 17.7.95 प्रदर्श एम.17, पच्ची प्रदर्श एम.25 है तथा अनादि कौशिक कम्प्यूटर सीखने अक्टूबर, 1994 से अपैक्स कम्प्यूटर सर्विसेज में आया था तथा अनादि कौशिक को 2000/-रुपये नकद दिनांक 19.5.1995 को व दिनांक 24.6.1995 को 1500/-रुपये का चैक दिया था जो प्रदर्श एम.26 से एम.29 हैं तथा राजस्थान बैंक सेवा में फरवरी 95 से जुलाई 95 तक अनादि कौशिक अपैक्स कम्प्यूटर सर्विसेज के कार्य पर था तथा जिरह में गवाह ने बताया है कि अपैक्स कम्प्यूटर संस्था माह मार्च-अप्रैल 1999 में बंद हो चुकी थी तथा इस संस्था में ट्रेनिंग देकर प्रमाणपत्र डिप्लोमा जारी किये जाते हैं तथा आवश्यकता अनुसार ठेके पर भी कार्य पर भेजे जाते हैं। पांच व्यक्तियों को ठेके पर कार्य के लिए भेजा गया था। जिरह में इस गवाह ने स्वीकारा है कि अपैक्स कम्प्यूटर सर्विसेज व अनादि कौशिक के मध्य लिखित में कोई समझौता ठेके के सम्बन्ध में नहीं हुआ था तथा प्रदर्श एम.12 से एम.14 व एम.26 से एम.29 तक अनादि कौशिक के हस्ताक्षर नहीं हैं।

प्रार्थी के विद्वान प्रतिनिधि ने लिखित बहस प्रस्तुत करते हुए बहस की कि प्रार्थी श्रमिक अनादि कौशिक ने विपक्षी बैंक में दिनांक 22.8.94 से दिनांक 19.7.95 तक पासबुक राईटर का लगातार कार्य किया है तथा राजस्थान बैंक का अब आई सी आई सी आई. बैंक में विलय हो चुका है, जिसके लिए रेफरेन्स में तरमीम की आवश्यकता नहीं है तथा प्रार्थी कर्मकार ने 240 दिन से अधिक दिवस लगातार विपक्षी बैंक में पूर्णकालिक श्रमिक के तौर पर कार्य किया है तथा विपक्षी बैंक ने दिनांक 20.7.95 से प्रार्थी कर्मकार को कार्य पर लेने से मौखिक रूप से मना कर दिया था तथा प्रार्थी कर्मकार को न तो एक माह का नोटिस वेतन दिया और न ही कोई मुआवजा ही दिया तथा जब प्रार्थी 240 दिन से अधिक दिवस कार्य कर चुका था तो विपक्षी बैंक ने धारा-25एफ. औद्योगिक विवाद अधिनियम के प्रावधान की पालना भी नहीं की तथा प्रार्थी कर्मकार ने वर्ष 2000 में वकालत की सनद ले ली थी लेकिन वकालत नहीं की थी इसलिए कोई लाभपूर्ण कार्य नहीं करने से कोई आय भी नहीं हुई है इसलिए प्रार्थी कर्मकार को पासबुक राईटर के पद पर पुनः स्थापित किया जावे। प्रार्थी के विद्वान प्रतिनिधि ने न्यायाधिकरण का ध्यान निम्न न्यायिक विनिश्चयों की ओर आकृष्ट किया है:-

- [1] **State of Punjab Vs. Jagjit Singh- A.I.R.2016 Supreme Court-5176.**
- [2] **Div. Manager, New India Assurance Co.Ltd. Vs. A. Sankaralingam-2008[6] S.L.R.-638.**
- [3] **Devinder Singh Vs. Municipal Council, Sanaur 2011 [2] R J T-1195.**

- [4] **Bharat Heavy Electricals Ltd. Vs. State of U.P. and Others.-[2003] 6 Supreme Court Cases-528.**
- [5] **Secretary, H. S. E. B. Vs. Suresh-IR-1999 Supreme Court-1160.**
- [6] **M/s. National Thermal Power Corporation Vs. K. K. Shrivastava and others- 2003[97] FLR-1065.**
- [7] **Anand Kishore Vs. Addl. Civil Judge & Ors.-2007[6]- W. L. C.-648.**
- [8] **Surendra Mehta Vs. Bapu Lal & Anr.-2008[2] W.L.C. [Raj.] 744.**
- [9] **Union of India Vs. Bhagawan- 2008-I- L.L.J.-925 [Raj].**
- [10] **O.P. Bhandari Vs. Indian Tourism development Corpn. Ltd.- AIR. 1987- Supreme Court-111.**
- [11] **Metropolitan Transport Corpn. Vs. V. Venkatesan -AIR- 2010 Supreme Court-206.**
- [12] **S. Seshachalam & Ors. ETC. Vs. Chairman, Bar Council of Tamil Nadu & Ors.-2015[1] WLC [sc] civil-342.**
- [13] **Hochtief Gammon Vs. Industrial Tribunal Bhubaneshwar, Orissa and others.-AIR 1964-Supreme Court-1746.**
- [14] **Indian Bank Vs. K. Usha and another-1998 [78] Supreme Court -801.**
- [15] **Bhagwan Dass Chopra Vs. United Bank of India-1987 [55] FLR-909.**
- [16] **M/s. P. V. K. Distillery Ltd. Vs. Mahendra Ram-AIR-2009- Supreme Court-2205.**
- [17] **Management of MCD. Vs. Prem Chand Gupta & Anr.-2000[1]-SLR-81.**

इसके प्रतिकार में विपक्षी के विद्वान प्रतिनिधि ने बहस की कि अप्रार्थी बैंक में विद्यार्थियों को स्वावलंबन बनाने के लिए एक योजना के अन्तर्गत प्रार्थी को अंशकालीन पासबुक राईटर के लिए रखा गया था, जो दिनांक 22.8.1994 से 2.3.1995 तक रखा गया था और वह भी अपेक्स कम्प्यूटर सर्विसेज के मार्फत रखा गया था तथा प्रार्थी अंशकालीन 2 घण्टे कार्य करता था तथा प्रार्थी की कोई नियोजन चयन होकर किसी पद पर नियुक्ति नहीं हुई थी तथा प्रार्थी कर्मकार ने 240 दिवस कार्य नहीं किया था, इसलिए औद्योगिक विवाद अधिनियम की धारा-25एफ. के प्रावधान की पालना की आवश्यकता नहीं थी तथा वर्ष 2000 से प्रार्थी वकालत के पेशे में है इसलिए वकालत के पेशे वाला व्यक्ति कर्मकार की तारीफ में नहीं आता है तथा वकालत के पेशे में होने से प्रार्थी किसी विधिवत संस्था द्वारा चयनित नहीं होने से पुनर्नियुक्ति का या किसी मुआवजे का हकदार नहीं है। अप्रार्थी के विद्वान प्रतिनिधि ने न्यायाधिकरण का ध्यान निम्न न्यायिक विनिश्चयों की ओर आकृष्ट किया है:-

- [1] **District Co-operative Bank Ltd. Jaunpur Vs. Labour Court-2012[135]-FLR-581.**
- [2] **Bhim Sain Vs. Government of NCT of Delhi-2014[142]-FLR- 79.**
- [3] **Shriram Institute for Industrial Research Vs. Rajesh Kumar Gandhi-2013[136]FLR-12.**
- [4] **Peter Ramesh Kumar Vs. Executive Director, Marshalls Power and Communication India [p] Ltd., Chennai and others.-2007[114] FLR-1167.**
- [5] **Oshiar Prasad and others Vs. E Smployers in relation to Management of sudamdih coal washery of M/s. Bharat coking Coal Limited, Dhanbad, JHARKHAND-2015[4]SCC-71.**
- [6] **Indian Sulphacid Industries Ltd. Vs. Labour Court Rohtak- 1992-LLR-462.**

मैंने उभय पक्ष के विद्वान प्रतिनिधिगण की बहस पर मनन किया एवं उपरोक्त न्यायिक विनिश्चयों का सम्मानपूर्वक परिशीलन किया।

अब जहां तक अप्रार्थी के विद्वान प्रतिनिधि का यह तर्क है कि प्रार्थी कर्मकार को अंशकालिक पासबुक राईटर के रूप में अपेक्स कम्प्यूटर सर्विसेज के मार्फत रखा गया था तथा प्रार्थी केवल दो घंटे कार्य करता था। इस तर्क के संबंध में उभय पक्ष की साक्ष्य के विवेचन में न्यायाधिकरण का विनम्र मत यह है कि सर्वप्रथम तो प्रार्थी कर्मकार ने अपनी साक्ष्य में बताया है कि विपक्षी बैंक में पासबुक राईटिंग, लेजर नाईटिंग व बैंक से संबंधित अन्य कार्य प्रातः 10 बजे से सांय 5 बजे तक करता था तथा प्रार्थी कर्मकार से इस बिन्दु पर जिरह से कोई विपरीत परिस्थिति भी नहीं आयी है तथा माननीय उच्चतम न्यायालय के न्यायिक विनिश्चय—**Div. Manager, New India Assurance Co. Ltd. Vs. A. Sankaralingam-2008[6] S.L.R.-638.** में प्रतिपादित सिद्धांत की रोशनी में कि औद्योगिक विवाद अधिनियम की धारा-2(एस.) के तहत कर्मचारी की परिभाषा से अंशकालीन कर्मकार अपवर्जित नहीं होता है, इसलिए यदि अप्रार्थी के विद्वान प्रतिनिधि की यह दलील तर्क के लिए मान भी ली जावे तो भी अंशकालीन

कर्मकार भी औद्योगिक विवाद अधिनियम की धारा-2(एस.)के तहत कर्मकार की तारीफ में आता है, इसलिए प्रार्थी श्री अनादि कौशिक विपक्षी बैंक में कर्मकार नहीं रहा हो, ऐसा माने जाने का कोई आधार नहीं है।

अब जहां तक अप्रार्थी के विद्वान प्रतिनिधि का यह तर्क है कि अप्रार्थी को विपक्षी बैंक ने दिनांक 22.8.94 से दिनांक 2.3.95 तक पासबुक राईटर के रूप में रखा था तथा प्रार्थी ने केवल 179 दिवस कार्य किया था, इसलिए 240 दिन या 240 दिवस से अधिक कार्य नहीं किया था, इस दलील के सम्बन्ध में यदि उभय पक्ष की साक्ष्य का विवेचन करें, तो प्रार्थी ने दिनांक 22.8.94 से 19.7.95 तक लगातार विपक्षी बैंक में कार्य करना अपनी साक्ष्य में बताया है तथा विपक्षी की ओर से जो उपस्थिति पंजिका प्रदर्श एम.3 से एम.6 एवं प्रदर्श एम.20 प्रस्तुत की गई हैं, इनमें प्रार्थी कर्मकार को दिनांक 2.3.95 के पश्चात रिलीव करना बताया गया है, जबकि रिलीव का कोई लिखित में आदेश दिया गया हो, ऐसा अभिलेख पर प्रस्तुत नहीं किया गया है तथा इस सम्बन्ध में प्रार्थी की ओर से अपनी साक्ष्य में बताया गया है कि उपस्थिति पंजिका पूर्ण रूप से अप्रार्थी बैंक ने पेश नहीं की है तथा इस संबंध में यदि अप्रार्थी बैंक के साक्षी नरेन्द्र कुमार जैन की साक्ष्य का परिशीलन करें तो इस गवाह ने अपनी प्रतिपरीक्षा में यह स्वीकार किया है कि दिनांक 2.3.95 के पश्चात प्रार्थी कर्मकार ने अपैक्स कम्प्यूटर सर्विसेज के मार्फत विपक्षी बैंक में कम्प्यूटर पर कार्य किया है, इसका तात्पर्य यह हुआ कि प्रार्थी कर्मकार को प्रारम्भिक तौर पर तो विपक्षी बैंक ने पासबुक राईटर के पद पर कार्य करने के लिए नियुक्त किया था उसके पश्चात अपैक्स कम्प्यूटर सर्विसेज के माध्यम से दिनांक 2.3.95 के पश्चात कार्य पर प्रार्थी कर्मकार विपक्षी बैंक में कार्यरत रहा है तो विपक्षी के दस्तावेज प्रदर्श एम.11व एम.12 में विपक्षी बैंक द्वारा प्रार्थी कर्मकार को दिनांक 3.5.95 को वेतन के पेटे 700/-रुपये अग्रिम प्रार्थी को भुगतान किया गया है और यह भी यह दर्शाता है कि प्रार्थी माह मई, 1995 में भी विपक्षी बैंक में कार्यरत रहा है तथा राज्य सरकार द्वारा जो रेफरेन्स दिया गया है और उसमें जो सेवा पर्यावसन तिथि बताई गई है, वह भी दिनांक 19.7.95 बताई गई है, जो विपक्षी बैंक के दस्तावेज से ही प्रार्थी कर्मकार का दिनांक 19.7.95 तक विपक्षी बैंक में कार्यरत रहना आया है, जो 240 दिवस से अधिक की अवधि तक विपक्षी बैंक में प्रार्थी का कार्यरत रहना आया है, जो विपक्षी बैंक के गवाह नरेन्द्र कुमार जैन की साक्ष्य से भी स्थापित है और महज अपैक्स कम्प्यूटर सर्विसेज के मार्फत यदि बाद में विपक्षी बैंक ने प्रार्थी को कार्य पर रखा है, तो वह जब प्रार्थी प्रारम्भिक तौर पर विपक्षी बैंक द्वारा कार्यरत रहा है, तो उससे प्रार्थी की प्रास्थिति में तब्दीली हुई हो, ऐसा नहीं माना जा सकता, इसलिए प्रार्थी और अप्रार्थी की साक्ष्य के उपरोक्त विवेचन के फलस्वरूप प्रार्थी कर्मकार द्वारा 240 दिन से अधिक दिवस कार्य विपक्षी बैंक में पासबुक राईटर के पद पर कार्य करना स्थापित है तथा यह निर्विवाद स्थिति है कि विपक्षी बैंक ने प्रार्थी को एक माह का नोटिस या छंटनी मुआवजा नहीं दिया और इसलिए औद्योगिक विवाद अधिनियम की धारा-25एफ.की पालना नहीं किया जाना भी अभिलेख से प्रकट है।

अब जहां तक अप्रार्थी के विद्वान प्रतिनिधि का यह तर्क रहा है कि प्रार्थी कर्मकार सन् 2000 से वकालत के पेशे में है। इस संबंध में अप्रार्थी के विद्वान प्रतिनिधि की ओर से न्यायाधिकरण का ध्यान निम्न न्यायिक विनिश्चयों .[1] 2007[114] FLR-1167., [2] 2014[142]-FLR-79., [3] 1992-LLR-462. की ओर आकृष्ट किया है। इन न्यायिक विनिश्चयों का सम्मानपूर्वक परिशीलन किया । इन न्यायिक विनिश्चयों में जो माननीय न्यायालय ने सिद्धांत प्रतिपादित किया है कि विधि सहायक, विधि सलाहकार कर्मकार की तारीफ में नहीं आता है, जबकि हस्तगत मामले में प्रार्थी कर्मकार सन् 2000 में वकालत के पेशे में आया है तथा सन् 1994 में वह वकालत के पेशे में नहीं था, इसलिए यह उपरोक्त न्यायिक विनिश्चय के मामले के तथ्य हस्तगत मामले के तथ्य से भिन्नता के कारण इस प्रकरण में आकृष्ट नहीं होते हैं तथा न्यायिक विनिश्चय-2015[4]SCC-71का न्यायाधिकरण द्वारा सम्मानपूर्वक परिशीलन किया गया, इस न्यायिक विनिश्चय के मामले के तथ्य यह हैं कि कर्मकार के नियमितिकरण एवं एब्जार्पशन का प्रश्न अन्तर्ग्रस्त था, जबकि हस्तगत मामले में प्रार्थी कर्मकार के नियमितिकरण या एब्जार्पशन का कोई प्रश्न अन्तर्ग्रस्त नहीं है तथा न्यायिक विनिश्चय- 2013[136]FLR-12. के मामले के तथ्य भी हस्तगत मामले के तथ्य से भिन्न हैं, क्योंकि हस्तगत मामले में औद्योगिक विवाद अधिनियम की धारा-17(बी.)का प्रश्न अन्तर्वलित नहीं है इसलिए हस्तगत मामले के तथ्य व परिस्थिति एवं प्रक्रम की भिन्नता के कारण ये न्यायिक विनिश्चय भी अप्रार्थी को कोई मदद नहीं पहुंचाते हैं।

अब जहां तक प्रार्थी कर्मकार के विद्वान प्रतिनिधि का यह तर्क है कि प्रार्थी की अवैध रूप से छंटनी की गई है, इसलिए उसे पुनः सेवा में स्थापित किया जावे। इस तर्क के संबंध में जो न्यायिक विनिश्चय प्रार्थी के विद्वान प्रतिनिधि की ओर से प्रस्तुत किये गये हैं, उनका सम्मानपूर्वक परिशीलन किया। अभिलेख के परिशीलन से यह स्पष्ट स्थिति है कि प्रार्थी कर्मकार का विपक्षी बैंक में कोई चयनित बोर्ड द्वारा विधि अनुसार चयन नहीं किया गया है तथा पासबुक राईटर का पद एक क्लर्क का पद होता है तथा क्लर्क के पद के लिए विधि अनुसार चयन मण्डल द्वारा नियुक्ति की जाती है तथा विपक्षी बैंक एक लोक उपक्रम है तथा प्रार्थी की सेवा अवधि भी दिनांक 22.8.94 से 19.7.95 तक रही है जो करीब एक वर्ष की रही है, इसलिए

प्रार्थी को सेवा में पुनर्स्थापन करने की मामले के तथ्य व परिस्थिति में कोई औचित्यता प्रतीत नहीं होती है, लेकिन प्रार्थी कर्मकार की छंटनी अवैध रूप से की गई है, जिसके लिए विपक्षी बैंक ने औद्योगिक विवाद अधिनियम की धारा-25एफ. के प्रावधान की पालना नहीं की है, इसलिए प्रार्थी कर्मकार श्री अनादि कौशिक के कार्य की प्रकृति को देखते हुए और प्रार्थी द्वारा वर्ष 2000 में वकालत की सनद प्राप्त होना आया है, इसलिए इन सभी पहलुओं को देखते हुए प्रार्थी कर्मकार को बतौर क्षतिपूर्ति दो लाख रुपये दिलाया जाना मामले के तथ्य व परिस्थिति में उचित प्रतीत होता है।

अतः उपरोक्त विवेचन के फलस्वरूप इस रेफरेन्स का उत्तर निम्न प्रकार दिया जाना समीचीन है :-

अधिनिर्णय

अतः : प्रबन्धन, तत्कालीन बैंक ऑफ राजस्थान, जयपुर के द्वारा श्री अनादि कौशिक कर्मकार को दिनांक 19.7.95 को एक माह का नोटिस वेतन व छंटनी मुआवजा दिये बगैर सेवा से पर्यवसान किया जाना विधि सम्मत एवं न्यायोचित नहीं है तथा विपक्षी बैंक द्वारा औद्योगिक विवाद अधिनियम की धारा-25एफ.के प्रावधान का अतिलंघन किया गया है इसलिए प्रार्थी कर्मकार श्री अनादि कौशिक मामले के तथ्य व परिस्थिति में विपक्षी बैंक से बतौर क्षतिपूर्ति दो लाख रुपये पाने का हकदार है तथा जिसे विपक्षी बैंक प्रार्थी को अवार्ड की तिथि से छः माह में संदाय करे तथा मामले के तथ्य व परिस्थिति में पक्षकारान खर्चा अपना- अपना स्वयं वहन करेंगे।

गिरीश कुमार शर्मा, न्यायाधीश

नई दिल्ली, 14 मई, 2018

का.आ. 817.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नागपुर के पंचाट (संदर्भ संख्या 77/2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14.05.2018 को प्राप्त हुआ था।

[सं. एल-12012/107/2013-आईआर (बी-1)]

बी.एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 14th May, 2018

S.O. 817.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 77/2013) of the Central Government Industrial Tribunal-cum-Labour Court Nagpur as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen, received by the Central Government on 14.05.2018.

[No. L-12012/107/2013-IR (B-I)]

B.S. BISHT, Section Officer

ANNEXURE

BEFORE SHRI S. S. GARG, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No.CGIT/NGP/77/2013

Date: 19.01.2018

Party No.1 : The Asstt. General Manager(Admn.)
State Bank of India, Region-I,
Administrative Office, S.V. Patel Road,
Post Box no. 37, Nagpur-440 001.

Versus

Party No.2 : Shri Sudhir S/o. Balachandra Deshpande
B-II, C/o. Anand Dongre, Near Renuka
Mandir, Yashodha Nagar,
Nagpur-440 016.

AWARD(Dated: 19th January, 2018)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of State Bank of India and their workman, Shri Sudhir Deshpande, for adjudication, as per letter **No.L-12012/107/2013-IR (B-I) dated 22.01.2014**, with the following schedule:-

"Whether the action of the Assistant General Manager (Administration) State Bank of India, Region-I Nagpur in imposing the penalty of "Dismissal without notice" on Shri Sudhir Balchandra Deshpande, Special Assistant, State Bank of India, Deen Dayal Nagar Branch, Nagpur vide their order dated 25.02.2012, is fair and legal? To what relief the concerned workman is entitled?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly, the workman, Shri Sudhir Deshpande, ("the workman" in short), filed the statement of claim and the management of State Bank of India, ("Party No. 1" in short) filed their written statement.

3. Both parties argued on preliminary issue as regard to validity of departmental/domestic enquiry before justification of quantum of punishment as referred in reference order.

4. The workman Shri Sudhir Balachandra Deshpande stated in claim petition that charge sheet was issued by management against him and departmental enquiry was conducted against him and he was participated in the departmental enquiry. As per report of Enquiry Officer, both the charges levelled against him were proved and Disciplinary Authority dismissed the delinquent from service of Bank w.e.f. 25.02.2012. The workman has filed appeal before the Appellate Authority but Appellate Authority has also dismissed the appeal. In para 11 and 12 of the claim, the workman stated that he has no dispute on departmental enquiry and he has accepted all charges levelled in the charge sheet against him. The workman further stated that in the interest of justice present sentence may kindly be set aside by substituting the punishment of compulsory retirement from the services of the Bank with superannuation benefits as Bank has not suffered any loss.

5. In reply party no.1 submitted that the workman has no allegation against the departmental/domestic enquiry in his written claim petition. Delinquent misappropriated the amount of Bank and refunded the misappropriated amount. The workman participated in the enquiry and the departmental enquiry was conducted by following the principles of natural justice. Charges levelled against delinquent was proved and after giving due opportunity to delinquent. The workman has also filed appeal before the appellate authority as regard to modification of quantum sentence but the same was also dismissed.

6. The party no.1 has stated that Tribunal is empowered to judicial review if departmental enquiry is not conducted accordance to procedure established in service rules and no procedure of natural justice was followed by the Enquiry officer. Party no.1 further stated that Tribunal is empowered to interfere only when punishment is shocking disproportionate to the misconducts and proved under section 11-A of Industrial Disputes Act, 1947. The workman has already filed the appeal against punishment only and he has not ever challenged the validity of departmental enquiry at any stage earlier, hence the workman is estopped to raise the validity of departmental proceeding before the Tribunal.

7. As this is a case of dismissal of the workman from services, after holding a departmental enquiry, the validity of the departmental enquiry was taken as a preliminary issue for consideration and by order dated 22.01.2016, the departmental enquiry conducted against the workman was held to be legal, proper and in accordance with the principles of natural justice.

8. On behalf of workman it was argued that the punishment was disproportionate even validity of enquiry was deemed to be correct. He also argued that workman was in acute financial crises at that point of time due to indebtedness and mother's illness, who was ultimately treated at Bombay Hospital but died due to heart attack. He also argued that workman still sustained the said plight and survive in life due to two brilliant children and family he had. He also argued that workman voluntarily accepted and admitted all charges levelled against him but he prayed just and reasonable punishments like compulsory retirement from the services of the bank with superannuation benefits in place of dismissal to meet the end of justice.

9. On the contrary, on behalf of the management it was argued that all charges against the workman was duly proved and bank imposed punishment of dismissal without notice as per service condition applicable to the workman. He also argued that judicial review had limited scope for the Tribunal and Tribunal did not act as appellate court. He relied on the following case laws:-

UPSRTC Vs. Subhas Chandra Sharma 2000SCC (L&S) 349, Mahindra and Mahindra Ltd. Vs. N.B. Narawade [(2005) 3 SCC 134 = (2005) 2 Scale 392], Union of India Vs. Parma Nanda 1989 SCC (L&S) 303, State of

Orissa Vs. Bidyabhushan Mohapatra (AIR 1963 SC 779= 1963 Supp 1SCR 648), Union Bank of India Vs. Vishwa Mohan 1998 (4) SCC 310 = 1998 LIC 2514, SBI Vs. Bela Bagchi 2005 SCC (L&S) 940 and Syed T.A. Vs. Naqshbandi Vs. State of JK 2003 SCC(L&S) 1151= (2003) 9 SCC 592

9. Now we see the legal position:- Management's advocate to support his argument put following case laws :-

State Bank of Bikaner and Jaipur Vs Nemichand, Civil Appeal No. 5861 of 2007, SC dated 01.03.2011, Regional Manager, U.P.S.R.T.C. Vs Hotilal, Civil Appeal No. 5984 of 2000 dated 11.02.2003, State Bank of India Vs Ramesh Dinkar, Civil Appeal No. 2055 of 2003 dated 11.08.2006, Devendra Kumar Vs State of Uttaranchal, Civil Appeal No. 1155 of 2006 dated 29.07.2013 and Bharat Forge Company Ltd. Vs A.B. Zodge, A.I.R. 1996 SC 1556, in which following legal principles are laid down:-

- i. It is now well settled that the courts will not act as an appellate court and reassess the evidence led in the domestic enquiry, nor interfere on the ground that another view is possible on the material on record.
- ii. Therefore, courts will not interfere with findings of fact recorded in departmental enquires, except where such findings are based on no evidence or where they are clearly perverse. The test to find out perversity is to see whether a Tribunal acting reasonably could have arrived at such conclusion or finding, on the material on record. Courts will however interfere with the findings in disciplinary matters, if principles of natural justice or statutory regulations have been violated or if the order is found to be arbitrary, capricious, mala fide or based on extraneous considerations.
- iii. When a court is considering whether punishment of 'termination from service' imposed upon a bank employee is shockingly excessive or disproportionate to the gravity of the proved misconduct, the loss of confidence in the employee will be an important and relevant factor.
- iv. That having regard to the gravity of the established misconduct, the punishing authority had the power and jurisdiction to impose punishment.
- v. Legal position would establish that the disciplinary authority, and on appeal the appellate authority, being fact-finding authorities have exclusive power to consider the evidence with a view to maintain discipline. They are invested with the discretion to impose appropriate punishment keeping in view the magnitude or gravity of the misconduct.
- vi. The position in our country, in administrative law, where no fundamental freedoms as aforesaid are involved, is that the courts/tribunals will only play a secondary role while the primary judgment as to reasonableness will remain with the executive or administrative authority.
- vii. Court interfered with the punishment only after coming to the conclusion that the punishment was in outrageous defiance of logic and was shocking.
- viii. If the charged employee holds a position of trust where honesty and integrity are inbuilt requirements of functioning, it would not be proper to deal with the matter leniently. Misconduct in such cases has to be dealt with iron hands.
- ix. Misrepresentation itself amounts to fraud, and further held fraudulent misrepresentation is called deceit and consists in lending a man into damage by willfully or recklessly causing him to believe and act on falsehood.
- x. If the initial action is not in consonance with law, the subsequent conduct of a party cannot sanctify the same.

10. Now I will discuss the evidence with reference to the argument of the workman. Workman in statement of claim para no. 11 & 12 admitted the proceeding of departmental enquiry conducted against him by the bank and he also admitted the charges levelled against him. He has nothing to object about the findings given by the enquiry officer. He also admitted that the copy of enquiry report was also received.

On this admission management counsel relied on the following case law:-

Chairman & Managing Director V.S.P. Vs. Gopal Raju Sri Prabhakara Hari Babu (2008) 2 SCC(L&S) 311 and Himachal Pradesh Road Transport Vs. Hukumchand (2009) 2 SCC (L&S) 615 in which it was held that – 1) "Held, detailed enquiry need not be held- Penalty based on respondent's admission that he unauthorisedly absented, was valid in view of the Evidence Act, 1872, S.58". 2) "Employee's own admission of misconduct- Enquiry in such an eventuality, held not necessary- Administrative Law – Natural justice".

On the perusal of the record it appears that the departmental enquiry was conducted properly and sufficient opportunity was given to the workman on behalf of the management. In my opinion there was no legal defect in the departmental enquiry.

11. As far as quantum of punishment is concerned it is well settled that the disciplinary authority and appellate authority being the fact finding authority. So this Tribunal is not an appellate authority i.e. Tribunal will only play secondary roll while the primary judgment as to reasonableness will remain with the executive or administrative authority. It is also clear from the above case law that jurisdiction of the Tribunal is very limited and its power to interfere with disciplinary matters is also limited. It is also laid down in the case law that Tribunal cannot set aside a well reasoned order only on sympathy or sentiments. It is also laid down that the superior court only in some cases invoke doctrine of proportionality if decision of an employer is found within the legal parameter, the jurisdiction would ordinarily not be invoked when misconduct stand proved.

12. In view of the discussion made above and the materials on record, it is found that there is no scope to interfere with the order of the punishment of dismissal from services passed against the workman. Hence, it is ordered:-

ORDER

The action of the Assistant General Manager (Administration) State Bank of India, Region-I Nagpur in imposing the penalty of “Dismissal without notice” on Shri Sudhir Balchandra Deshpande, Special Assistant, State Bank of India, Deen Dayal Nagar Branch, Nagpur vide their order dated 25.02.2012, is fair and legal. The workman is not entitled to any relief.

S.S. GARG, Presiding Officer

नई दिल्ली, 14 मई, 2018

का.आ. 818.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पश्चिम रेलवे प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण अहमदाबाद के पंचाट (संदर्भ संख्या 527/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14.05.2018 को प्राप्त हुआ था।

[सं. एल-41012/141/2002-आईआर (बी-1)]

बी.एस. बिष्ट, अनुभाग अधिकारी

New Delhi, the 14th May, 2018

S.O. 818.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 527/2004) of the Central Government Industrial Tribunal-cum-Labour Court Ahmedabad as shown in the Annexure, in the industrial dispute between the management of Western Railway and their workmen, received by the Central Government on 14.05.2018.

[No. L-41012/141/2002-IR (B-I)]

B.S. BISHT, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, AHMEDABAD

Present: Pramod Kumar Chaturvedi,
Presiding Officer, CGIT cum Labour Court,
Ahmedabad, Dated 15th March, 2018

Reference: (CGITA) No- 527/2004

1. The General Manager,
Western Railway,
Churchgate, Mumbai – 400001
2. The Divisional Mechanical Engineer,
Western Railway, Diesel Loco Shed, Vatva,
Ahmedabad (Gujarat) – 380001
3. The Assistant Mechanical Engineer,
Western Railway, Diesel Loco Shed, Vatva,
Ahmedabad (Gujarat) – 380001

...First Party

V/s

Shri Kanti Mana,
C/o Shri J.K. Ved,
Sinduri Mata Devasthan, S.T. Nagar Road,
Godhra (Gujarat) - 389001

...Second Party

For the First Party : Shri H.B. Shah
For the Second Party : Shri Hitesh D. Kathrotiya

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-41012/141/2002-IR(B-I) dated 31.12.2002 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the Assistant Mechanical Engineer (HR), Western Railway, Vatva, in giving punishment of removal from service w.e.f. 25.08.2001 to Shri Kanti Mana, DSL Khallasi is justified? If not, what relief the concerned workman is entitled and from which date?”

1. The reference dates back to 31.12.2002. In response to the notice sent to the parties, the second party workman submitted the statement of claim Ex. 4 alleging that he was serving in the first party at Diesel Loco Shed, Vatva, Ahmedabad (Gujarat) on the permanent post of Diesel Khallasi in a grade pay of Rs. 740-940/-. He served the first party for 10 years with unblemished career but he was served with a charge-sheet on 25.10.2000 charging for absence from duty from 12.07.2000 to 25.11.2000. A copy of the charge-sheet has been enclosed with the statement of claim. He has further alleged that he was absent from duty for the aforesaid period due to ill health and family circumstances. He also submitted the medical certificate to this effect but he was not sanctioned medical leave and terminated from service on 25.08.2001 which was wrong and illegal. Said termination order is also enclosed with the statement of claim. He submitted an appeal against the termination letter under discipline and appeal rules on 19.11.2001, the said appeal was also rejected. The rejection letter is also enclosed with the statement of claim. Thereafter, he moved an appeal before the appellate authority under Rule 25 of Railway Discipline and Appeal Rules on 01.12.2001 enclosed with the statement of claim. The said review application was also rejected. He has further alleged that he was a permanent employee and was entitled for all the benefits of labour laws like accidental and sick leave in the manner like half pay or leave without pay. The first party might have sanctioned his leave as without pay but instead of sanctioning the leave, his services were terminated. Thus he has prayed for quashing the termination order and reinstatement with back wages and consequential benefits.
2. The first parties The Divisional Mechanical Engineer, Western Railway, Diesel Loco Shed, Vatva, Ahmedabad, submitted the joint written statement Ex. 5 submitting that the tribunal has no jurisdiction to adjudicate the matter on the ground that the second party workman was a railway servant holding a permanent post, therefore, termination of his service can only be adjudicated by the Central Administrative Tribunal and the averments made in the statement of claim are not admitted. He further submitted that under the Railway Establishment Manual, a person who unauthorisedly absent from duty, the major penalty can be imposed. The second party workman was working in Diesel Loco Shed, Vatva, Ahmedabad (Gujarat) in a scale of Rs. 2550-3000/- and remained absent from 12.07.2000 to 24.11.2000, therefore, a charge-sheet was issued as Form No. SF5 as per discipline and local rules. He did not submitted sick certificate of a railway doctor during the period of absence. An enquiry was held on 22.05.2001, 19.06.2001 and 03.07.2001; same was attended by the second party workman. After enquiry, the charge was found to be proved. The enquiry report was served on the second party workman on 03.08.2001. The second party workman did not submit any explanation, therefore, vide order no. AME/VIA-5/NIP No. P/308/00/5/AME/249 dated 25.08.2001; he was removed from the service. The second party workman moved an appeal against the said order which was rejected after giving personal hearing. Thus the prayer made by the second party workman in his statement of claim deserved to be rejected. All the documents mentioned in the written statement are also enclosed.
3. The second party workman in support of statement of claim and reference, submitted his affidavit Ex. 17 on 03.02.2017 reiterating the averments made in the statement of claim but despite giving number of opportunities to the first party, the first party did not prefer to cross-examine the second party workman on his affidavit Ex. 17. It is noteworthy that before permitting the second party to submit his affidavit Ex. 17, the first party vide order dated 28.09.2011, was asked to submit the documents relating departmental enquiry but despite giving dozens of opportunities, the first party did not submit the record of discretionary proceedings.

4. The second party has submitted the documents like charge-sheet, punishment order, memorandum of appeal, rejection order of appeal, memorandum of review on his appeal order, medical certificate of a private doctor and fitness certificate of the railway doctor.
5. As the first party failed to submit the documents of departmental enquiry, therefore, the reference was proceeded ex-parte against the first party as none has been responding and appearing from the first party to explain the reasons of prosecuting the case.
6. Therefore, the second party workman submitted the affidavit Ex. 17 in support of his statement of claim which is un rebutted.
7. The argument in the written statement that the tribunal has no jurisdiction, is not tenable because the second party workman was a workman within the definition of Section 2 (s) of the Industrial Dispute Act and his termination comes within the jurisdiction of this tribunal under Section 2 (c) of the Industrial Dispute Act. The record reveals that the second party workman submitted a medical certificate issued by a private doctor that he has been ill from 12.07.2001 to 14.11.2001. The first party has not rebutted this allegation as to why he could not be sanctioned medical leaves for the aforesaid period, thus the rejection of appeal and also review of it was unjustified and consequently, the order of termination of his service was unjust and improper.
8. Thus the reference deserves to be allowed. The order of termination of his service is set aside and quashed. The first party is directed to reinstate the second party workman Kanti Mana with back wages and all consequential benefits within 60 days from the publication of this award.
9. The award is passed accordingly.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 15 मई, 2018

का.आ. 819.—केन्द्र सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 (यथासंशोधित, 1987) के नियम 10 के उप-नियम (4) के अनुसरण में, श्रम और रोजगार मंत्रालय के प्रशासकीय नियंत्रणाधीन निम्नलिखित कार्यालय को, जिनके 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, एतद्वारा अधिसूचित करती है:

01. उप-क्षेत्रीय कार्यालय, तिरुवनंतपुरम
02. कर्मचारी राज्य बीमा निगम, शाखा कार्यालय, रांची
03. कर्मचारी राज्य बीमा निगम, शाखा कार्यालय, रामगढ़
04. कर्मचारी राज्य बीमा निगम, शाखा अस्पताल, ओखला
05. कर्मचारी राज्य बीमा निगम, शाखा कार्यालय, मोरी गेट
06. कर्मचारी राज्य बीमा निगम, शाखा कार्यालय, किशनगंज
07. कर्मचारी राज्य बीमा निगम अस्पताल, भिवाड़ी

[सं. ई-11016/1/2017-रा.भा.नी.]

देवेन्द्र सिंह, आर्थिक सलाहकार

New Delhi, the 15th May, 2018

S.O. 819.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Languages (Use for official purposes of the Union) Rules, 1976 (as amended, 1987) the Central Government hereby notifies the following office under the administrative control of the Ministry of Labour & Employment, more than 80% Staff whereof have acquired working knowledge of Hindi :

01. Sub-Regional office, Thiruvananthapuram
02. ESIC, Branch Office, Ranchi
03. ESIC, Branch Office, Ramgarh
04. ESIC Hospital, Okhla
05. ESIC, Branch Office, Mori Gate
06. ESIC, Branch Office, Kishanganj
07. ESIC Hospital, Bhiwadi

[No. E-11016/1/2017-RBN]

DEVENDER SINGH, Economic Adviser

नई दिल्ली, 15 मई, 2018

का.आ. 820.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स ईस्टर्न कोलफील्ड लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 14/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04.05.2018 को प्राप्त हुआ था।

[सं. एल-22012/135/2008-आईआर (सी.एम- II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 15th May, 2018

S.O. 820.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 14/2009) of the Central Government Industrial Tribunal-cum-Labour Court Asansol, as shown in the Annexure, in the industrial dispute between the management of M/s E.C.L., and their workmen, received by the Central Government on 04.05.2018.

[No. L-22012/135/2008-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, ASANSOL

PRESENT: Shri Pramod Kumar Mishra, Presiding Officer

REFERENCE NO. 14 OF 2009

PARTIES : The management of Dhemomain Group of M/s. ECL

V/s

Shri Ranjit Roy

REPRESENTATIVES :

For the Management : Shri P. K. Goswami, Learned Advocate

For the Union (Workman) : Shri S. K. Pandey, Learned Union Representative

INDUSTRY : COAL

STATE : WEST BENGAL

Dated : 19.04.2018

A W A R D

In exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947(14 of 1947), Govt. of India through the Ministry of Labour vide its letter **NO. L-22012/135/2008-IR (CM-II)** dated 06.03.2009 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

“ Whether the action of the management of M/s. ECL in dismissing Shri Ranjit Roy, w.e.f. 17.10..2005 is legal and justified? To what relief is the workman entitled?”

1. Having received the Order **NO. L-22012/135/2008-IR (CM-II)** dated 06.03.2009 of the above said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a Reference Case No. **14 of 2009** was registered on 27.03.2009. Accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned, directing them to appear in the court, on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned. Both the parties appeared in the Tribunal, through their representative.

2. Case called out. Shri P. K. Goswami, learned advocate appeared on behalf of the management of Dhemomain Group of M/s. Eastern Coalfields Limited and Shri S. K. Pandey, Learned union representative appeared on behalf of the workman, Shri Ranjit Roy.
3. Shri S. K. Pandey, Learned union representative of the workman, Shri Ranjit Roy files a petition that the management of M/s. Eastern Coalfields Limited has agreed to re-instate the workman, Shri Ranjit Roy, hence he is not interested to proceed with the case further and the case may be closed. He also made an endorsement on the order sheet to that effect. Since the workman does not want to contest the case anymore 'no dispute' exists between the parties and I have no option left but to close the case. As such the case is closed and accordingly a '**No Dispute Award**' is hereby passed.

O R D E R

Let an "Award" be and the same is passed as per above discussion. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for information and needful. The reference is accordingly disposed of.

PRAMOD KUMAR MISHRA, Presiding Officer

नई दिल्ली, 15 मई, 2018

का.आ. 821.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स डबलू. सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 14/2014) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.05.2018 को प्राप्त हुआ था।

[सं. एल-22012/121/2013-आईआर (सी.एम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 15th May, 2018

S.O. 821.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 14/2014) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the industrial dispute between the management of M/s W.C.L. and their workmen, received by the Central Government on 10.05.2018.

[No. L-22012/121/2013-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE

BEFORE SHRI J.P.CHAND, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/14/2014-15

Date: 05.12.2017

Party No.1(a) :	The Sub Area Manager, Rajur Sub Area of Wani North Area, WCL, Post: Rajur, Tehsil: Wani, Distt. Yavatmal, Yavatmal (M.S.)
Party No.1(b) :	The General Manager, Wani North Area, Western Coalfields Limited, Post: Bhalar, Tehsil: Wani, Distt. Yavatmal (M.S.), Yavatmal.
	Versus
Party No.2 :	The President, Koyla Shramik Sabha (HMS), Wani North Area, Ward No. 1, Tilaknagar, At. Wani, Post: Wani, Distt. Yavatmal (M.S.), Yavatmal.

AWARD

(Dated: 5th December, 2017)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of Western Coalfields Limited and their union, Koyla Shramik Sabha (HMS) for adjudication, as per letter **No.L-22012/121/2013- (IR(CM-II) dated 21.07.2014**, with the following schedule:-

"Whether the action of the management of Rajur Sub Area of Wani North Area, Western Coalfields Limited (WCL), Tehsil. Wani, Distt. Yavatmal(M.S.) of converting Piece Rated Workers to the Time Rated Worker is legal and justified? If not, to what relief the workmen are entitled to?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement, by registered post with acknowledge due.

The party No.1 appeared through their advocates on 19.12.2014.

In spite of sufficient service of notice on the petitioner, none appeared on behalf of the petitioner. No statement of claim was also filed on 05.12.2017 even after second notice was served for the date of 05.12.2017. Petitioner did not appear even today. So, case is closed for award.

.It is well settled that whenever a party challenges the legality of an order, the burden lies upon him to prove the illegality of the order and it is imperative for him to file written statement before the Industrial Court setting out grounds on which the order is challenged and he must also produce evidence to prove his case. If the party fails to appear or file written statement or produce evidence, the dispute referred by the Government cannot be answered in favour of the said party and the party would not be entitled to any relief.

Judging the present case with the touch stone of the settled principles as mentioned above, it is found that the petitioner has neither appeared nor filed any statement of claim and as such, he is not entitled to any relief. Hence, it is ordered:-

ORDER

The reference is answered in the negative and against the petitioner. The petitioner is not entitled to any relief.

SHYAM SUNDER GARG, Presiding Officer

नई दिल्ली, 15 मई, 2018

का.आ. 822.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स ईस्टर्न कोलफील्ड लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 24/1993) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.05.2018 को प्राप्त हुआ था।

[सं. एल-22012/49/1993-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 15th May, 2018

S.O. 822.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 24/1993) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol, as shown in the Annexure, in the industrial dispute between the management of M/s E.C.L., and their workmen, received by the Central Government on 10.05.2018.

[No. L-22012/49/1993-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
ASANSOL

PRESENT : Shri Pramod Kumar Mishra, Presiding Officer

REFERENCE NO. 24 OF 1993

PARTIES : The management of Kalipahari (R) Colliery of M/s. ECL

V/s

Smt. Ch. Kajali Kora

REPRESENTATIVES :

For the management : Shri P. K. Das, Learned Advocate

For the union (Workman) : Shri S. K. Pandey, Learned Union Representative

INDUSTRY: COAL

STATE : WEST BENGAL

Dated : 24.04.2018

A W A R D

In exercise of powers conferred by clause (d) of Sub-section(1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947(14 of 1947), Govt. of India through the Ministry of Labour vide its letter **NO. L-22012/49/93-IR(C-II)** dated 07.06.1993 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

“ Whether the action of the management of Kalipahari (R) Colliery of M/s. Eastern Coalfields Ltd., in dismissing Smt. Ch. Kajali Kora, Wagon Loader w.e.f. 28.10.1988 from services vide Charge Sheet No. AGT/KPH/87/1138 dated 15.07.1987 is legal and justified? If not, to what relief the workman is entitled to? ”

1. Having received the Order **NO. L-22012/49/93-IR(C-II)** dated 07.06.1993 of the above said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a Reference Case No. **24 of 1993** was registered on 14.06.1993. Accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned, directing them to appear in the court, on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned. Both the parties appeared in the Tribunal, through their representative.
2. The workman Smt. Ch. Kajali Kora has filed written statement through union representative. Smt. Ch. Kajali Kora has alleged in her written statement that she was regular employee working as General Mazdoor at Ghusick Unit of Kalipahari (R) Colliery under Sripur Area of M/s. Eastern Coalfields Limited. She was absent from 11.07.1985. She was charge sheeted on 15.07.1987 after 2 (Two) years. The enquiry has been conducted without observing any procedure laid down in the standing order applicable to the workman. She was not given full opportunity to defend herself. The workman being illiterate are not aware about standing order. Absenteeism in coal industry is general phenomenon. The punishment of dismissal is shocking and excessive. Dismissal of permanent workman from establishment without proper enquiry is illegal and unfair. The workman belongs to Scheduled Cast Community. The workman has prayed that she should be re-instated in service of the company with immediate effect with full back wages from 11.07.1985 till resumption of duty.
3. The Agent of Kalipahari (R) Colliery of M/s. Eastern Coalfields Limited has filed written statement. He has alleged that the reference is not maintainable in law as well as on facts. The workman was an employee Ghusick Unit of Kalipahari (R) Colliery under Sripur Area of M/s. Eastern Coalfields Limited. The permanent address has been recorded in Form 'B' register. The workman absented herself from 11.07.1985 but when workman failed to resume his duty Charge Sheet dated 15.07.1987 was issued to her for her absence from duty without notice and without leave. Notice was issued on the recorded address with A/D. The concerned workman did not submit any reply to the aforesaid Charge Sheet. The worker was avoiding to submit her reply. The management decided to hold departmental enquiry and appointed Shri R. Sinha, Senior Personnel

Officer. The Enquiry Officer sent notice of enquiry on registered postal address to workman but the workman did not appear. The Enquiry Officer for giving opportunity to the workman adjourned the enquiry proceeding for 3 (Three) successive dates and again sent registered notice but the concerned workman did not appear in the enquiry proceeding. The Enquiry Officer had no other alternative, proceeded ex-parte enquiry. The concerned workman has been guilty of the charge of misconduct as defined under the standing order. The competent authority accepted the Enquiry Report and was pleased to dismiss the workman on 28.10.1988. The Agent of Kalipahari (R) Colliery of M/s. Eastern Coalfields Limited has prayed that the workman is not entitled to any relief.

4. The Agent of Kalipahari (R) Colliery of M/s. Eastern Coalfields Limited has filed rejoinder written statement. He has denied all the allegation of the workman Smt. Ch. Kajali Kora.
5. Workman has filed the following documentary evidences :
 - (i) Photocopy of the Charge Sheet, (ii) Photocopy of the Enquiry Proceeding, (iii) Photocopy of the statement of witnesses, (iv) Photocopy of the Postal Receipts, and (v) Photocopy of the Enquiry Report. Workman has examined Shri S. K. Pandey, union representative as WW-1 but he has not been cross-examined by the management of Kalipahari (R) Colliery of M/s. Eastern Coalfields Limited. The management of Kalipahari (R) Colliery of M/s. Eastern Coalfields Limited has filed the copy of death certificate of Smt. Ch. Kajali Kora and examined the witness of Shri Gopal Gope.
6. The learned advocate of Kalipahari (R) Colliery of M/s. Eastern Coalfields Limited has filed Death Certificate of Smt. Ch. Kajali Kora on 17.07.2017, copy has been given to Shri S. K. Pandey, learned union representative. But he has not filed any objection to this Death Certificate. Though ample opportunity has been provided to the union representative. Smt. Ch. Kajali Kora has expired on 04.05.1997 though information has been submitted to the tribunal so late.
7. Since, the workman Smt. Ch. Kajali Kora has expired the reference is abated. Smt. Ch. Kajali Kora (deceased) is not entitled to any relief.

O R D E R

Let an "Award" be and the same is passed as per above discussion. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for information and needful. The reference is accordingly disposed of.

PRAMOD KUMAR MISHRA, Presiding Officer

नई दिल्ली, 15 मई, 2018

का.आ. 823.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स ईस्टर्न कोलफील्ड लिमिटेड के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 25/1993) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.05.2018 को प्राप्त हुआ था।

[सं. एल-22012/47/1993-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 15th May, 2018

S.O. 823.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 25/1993) of the Central Government Industrial Tribunal-cum-Labour Court, Asansol, as shown in the Annexure, in the industrial dispute between the management of M/s E.C.L., and their workmen, received by the Central Government on 10.05.2018.

[No. L-22012/47/1993-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, ASANSOL

PRESENT : Shri Pramod Kumar Mishra, Presiding Officer

REFERENCE NO. 25 OF 1993

PARTIES : The management of Kalipahari (R) Colliery of M/s. ECL
V/s
 Shri Hopna Majhi

REPRESENTATIVES :

For the management : Shri P. K. Das, Learned Advocate
 For the union (Workman) : Shri S. K. Pandey, Learned Union Representative
INDUSTRY: COAL **STATE : WEST BENGAL**
Dated : 25.04.2018

A W A R D

In exercise of powers conferred by clause (d) of Sub-section(1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947(14 of 1947), Govt. of India through the Ministry of Labour vide its letter **NO. L-22012/47/93-IR(CM-II)** dated 07.06.1993 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

“ Whether the action of the management of Kalipahari (R) Colliery of M/s. Eastern Coalfields Ltd., in dismissing Shri Hopna Majhi, M. C. Loader w.e.f. 28.10.1988 from services vide Charge Sheet No. AGT/KPH/87/1102 dated 11.07.1987 is legal and justified? If not, to what relief the workman is entitled to? ”

1. Having received the Order **NO. L-22012/47/93-IR(CM-II)** dated 07.06.1993 of the above said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a Reference Case No. **25 of 1993** was registered on 14.06.1993. Accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned, directing them to appear in the court, on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned. Both the parties appeared in the Tribunal, through their representative.
2. The workman Shri Hopna Majhi has filed written statement through union representative. Shri Hopna Majhi has alleged in his written statement that he was regular employee working as General Mazdoor at Ghusick Unit of Kalipahari (R) Colliery under Sripur Area of M/s. Eastern Coalfields Limited. He was absent from 19.06.1982. He was charge sheeted on 11.07.1987 after 5 (Five) years. The enquiry has been conducted without observing any procedure laid down in the standing order applicable to the workman. He was not given full opportunity to defend himself. The workman being illiterate are not aware about standing order. Absenteeism in coal industry is general phenomenon. The punishment of dismissal is shocking and excessive. Dismissal of permanent workman from establishment without proper enquiry is illegal and unfair. The workman belongs to Scheduled Cast Community. The workman has prayed that he should be re-instated in service of the company with immediate effect with full back wages from 19.06.1982 till resumption of duty.
3. The Agent of Kalipahari (R) Colliery of M/s. Eastern Coalfields Limited has filed written statement. He has alleged that the reference is not maintainable in law as well as on facts. The workman was an employee Ghusick Unit of Kalipahari (R) Colliery under Sripur Area of M/s. Eastern Coalfields Limited. The permanent address has been recorded in Form 'B' register. The workman absented himself from 19.06.1982 but when workman failed to resume his duty Charge Sheet dated 11.07.1987 was issued to his for his absence from duty without notice and without leave. Notice was issued on the recorded address with A/D. The concerned workman did not submit any reply to the aforesaid Charge Sheet. The worker was avoiding to submit his reply. The management decided to hold departmental enquiry and appointed Shri R. Sinha, Senior Personnel Officer. The Enquiry Officer sent notice of enquiry on registered postal address to workman but the workman did not appear. The Enquiry Officer for giving opportunity to the workman adjourned the enquiry proceeding for 3 (Three) successive dates and again sent registered notice but the concerned workman did not appear in the enquiry proceeding. The Enquiry Officer had no other alternative, proceeded ex-parte enquiry. The concerned workman has been guilty of the charge of misconduct as defined under the standing order. The competent authority accepted the Enquiry Report and was pleased to dismiss the workman on 28.10.1988. The Agent of Kalipahari (R) Colliery of M/s. Eastern Coalfields Limited has prayed that the workman is not entitled to any relief.

4. The Agent of Kalipahari (R) Colliery of M/s. Eastern Coalfields Limited has filed rejoinder written statement. He has denied all the allegation of the workman Shri Hopna Majhi.
5. Workman has filed the following documentary evidences :
 - (i) Photocopy of the Charge Sheet, (ii) Photocopy of the Enquiry Proceeding, (iii) Photocopy of the statement of witnesses, (iv) Photocopy of the Postal Receipts, and (v) Photocopy of the Enquiry Report. The workman has examined Shri S. K. Pandey, union representative as ww-1 but he has not been cross-examined by the management of Kalipahari (R) Colliery of M/s. Eastern Coalfields Limited. The management of Kalipahari (R) Colliery of M/s. Eastern Coalfields Limited has filed the copy of death certificate of Shri Hopna Majhi and examined the witness of Shri Brahmanandan Jha.
6. The learned advocate of Kalipahari (R) Colliery of M/s. Eastern Coalfields Limited has filed Death Certificate of Shri Hopna Majhi, copy has been given to Shri S. K. Pandey, learned union representative. But he has not filed any objection to this Death Certificate. Though ample opportunity has been provided to the union representative. Shri Hopna Majhi has expired on 20.04.2002 though information has been submitted to the tribunal so late.
7. Since, the workman Shri Hopna Majhi has expired the reference is abated. Shri Hopna Majhi (deceased) is not entitled to any relief.

O R D E R

Let an "Award" be and the same is passed as per above discussion. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for information and needful. The reference is accordingly disposed of.

PRAMOD KUMAR MISHRA, Presiding Officer

नई दिल्ली, 15 मई, 2018

का.आ. 824.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स डबलू. सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 47/2015) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.05.2018 को प्राप्त हुआ था।

[सं. एल-22012/110/2015-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 15th May, 2018

S.O. 824.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 47/2015) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the industrial dispute between the management of M/s. W.C.L., and their workmen, received by the Central Government on 10.05.2018.

[No. L-22012/110/2015-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE

**BEFORE SHRI SHYAM SUNDER GARG, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT,
NAGPUR**

Case No.CGIT/NGP/47/2015-16

Date: 10.01.2018

**Party No.1 : The General Manager,
Wani North Area, WCL,
Post: Bhalar, Tehsil: Wani,
Distt. Yavatmal (M.S.) – 445304.**

Versus

Party No.2 : **The Working President,
Koyla Shramik Sabha (HMS),
Ward No. 1, Tilaknagar, Wani,
Tehsil: Wani, Distt. Yavatmal,
Yavatmal (M.S.) 445304**

AWARD

(Dated: 10th January, 2018)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of Western Coalfields Limited and their union, Koyla Shramik Sabha (HMS), for adjudication, as per letter **No.L-22012/110/2015-IR(CM-II) dated 20.01.2016**, with the following schedule:-

"Whether the demands raised by Shri Sukhranjan Nikunj Biswas, applicant for correction in date of birth on the basis of School Certificate or sending his case to Medical Board for determination of his age and the demands supported by the Working President, Koyla Shramik Sabha (HMS), at Wani, Yavatmal is just, fair & legal? If yes, to what relief the concerned workman is entitled?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement, by registered post with acknowledge due. On 16.03.2016, advocate for the workman and management, both were present and filed vakalatnama but petitioner did not file statement of claim. Even fresh notice was issued fixing the case on 06.12.2017, but nobody was present on behalf of the workman even the workman was not present nor he filed statement of claim. Thereafter case was adjourned to 10.10.2018 but today also, nobody was present nor filed statement of claim on behalf of the petitioner. It shows that, workman is not interested to continue this case.

It is well settled that whenever a party challenges the legality of an order, the burden lies upon him to prove the illegality of the order and it is imperative for him to file written statement before the Industrial Court setting out grounds on which the order is challenged and he must also produce evidence to prove his case. If the party fails to appear or file written statement or produce evidence, the dispute referred by the Government cannot be answered in favour of the said party and the party would not be entitled to any relief.

Judging the present case with the touch stone of the settled principles as mentioned above, it is found that the petitioner has neither appeared nor filed any statement of claim and as such, he is not entitled to any relief. Hence, it is ordered:-

ORDER

The reference is answered in the negative and against the workman. The workman is not entitled to any relief.

SHYAM SUNDER GARG, Presiding Officer

नई दिल्ली, 15 मई, 2018

का.आ. 825.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स डबलू. सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 35/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.05.2018 को प्राप्त हुआ था।

[सं. एल-22012/230/2012-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 15th May, 2018

S.O. 825.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 35/2012) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the industrial dispute between the management of M/s. W.C.L., and their workmen, received by the Central Government on 10.05.2018.

[No. L-22012/230/2012-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE

BEFORE SHRI S.S. GARG, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No.CGIT/NGP/35/2012

Date: 11.01.2018.

Party No.1 : The Sub Area Manager,
Durgapur O/C Mines Sub Area of
Chandrapur Area, WCL, Post: Durgapur,
Distt. Chandrapur (M.S.).

Versus

Party No.2 : The General Secretary, RCMC,
C/o Shri C.R. Terbhre, Near Ayyappa Mandir,
Tukum Ward No. 2,
Tukum, Chandrapur,
Chandrapur (M.S.)

AWARD(Dated: 11th January, 2018)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of Western Coalfields Limited and their union The General Secretary, RCMC for adjudication, as per letter **No.L-22012/230/2012-IR (CM-II) dated 16.01.2013**, with the following schedule:-

"Whether the action of Magmt. Of Durgapur Open Cast Mines sub Area of Chandrapur Area of Western coalfields Ltd. of dismissal in respect of Shri Pocham Rajam Pairkawar is leal and justified? If not, to what relief is the workman entitled to?"

On behalf of the workman, union representative, Mr. Dubey is present.

On behalf of the management, Advocate, A.S. Mehadia is present.

Hon'ble High Court in Writ Petition No. 6232/2014 passed an order dated 24.06.2016 in favour of the management ad Hon'ble High Court quashed this reference. So, this case is not maintainable and parties are directed that, this reference is dismissed as per direction of the Hon'ble High Court.

Inform the Ministry for necessary action and file is closed and registered with result in concerned register.

S. S. GARG, Presiding Officer

नई दिल्ली, 15 मई, 2018

का.आ. 826.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स एम. सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, भुवनेश्वर के पंचाट (संदर्भ संख्या 38/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08.05.2018 को प्राप्त हुआ था।

[सं. एल-22012/111/2011-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 15th May, 2018

S.O. 826.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 38/2011) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure, in the industrial dispute between the management of M/s M.C.L., and their workmen, received by the Central Government on 08.05.2018.

[No. L-22012/111/2011-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BHUBANESWAR

PRESENT: Shri B.C. Rath, Presiding Officer,
C.G.I.T.-cum-Labour Court, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 38/2011

L-22012/111/2011 -IR(CM-II), dated 02.08.2011

Date of Passing Order – 11th April, 2018

BETWEEN:

1. The Chief General Manager,
Bharatpur Area of MCL
At-Mahendrapur, Bharatpur Colliery,
Angul, Odisha.
2. The Chief General Manager,
Hingula Area of MCL,
At-Mahendrapur, Bharatpur Colliery,
Angul, Odisha

...1st Party-Managements.

AND

The General Secretary,
Talcher Coal Mines Employees Union,
At-Qr. No. IB-103, PO-South Balanda,
Angul, Odisha.

...2nd Party-Union.

APPEARANCES:

None	...	For the 1 st Party-Managements
None	...	For the 2 nd Party-Union

ORDER

Authorized representative of the Management is present. No-one appears on behalf of the 2nd party-Union on repeated calls. It is found from the record that despite notice to the 2nd party-Union by Regd. Post it fails to take any step. It is pertinent to mention here that an exparte award passed on 11.12.2014 has been set aside by this tribunal vide its order dated 23.12.2016. After such setting aside the exparte award the 2nd party-Union was noticed to make his appearance and to contest the reference. As no one appears on behalf of the Union and as no evidence is led by the Union in support of the pleadings advanced in the statement of claim, I am inclined to return the reference without its adjudication due to the absence of evidence from the side of the Union.

Dictated and corrected by me.

B.C. RATH, Presiding Officer

नई दिल्ली, 15 मई, 2018

का.आ. 827.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स डबलू. सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 109/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10.05.2018 को प्राप्त हुआ था।

[सं. एल-22012/196/2000-आईआर (सीएम-II)]

राजेन्द्र सिंह, अनुभाग अधिकारी

New Delhi, the 15th May, 2018

S.O. 827.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 109/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure, in the industrial dispute between the management of M/s W.C.L., and their workmen, received by the Central Government on 10.05.2018.

[No. L-22012/196/2000-IR (CM-II)]

RAJENDER SINGH, Section Officer

ANNEXURE

BEFORE SHRI S.S GARG, PRESIDING OFFICER, CGIT-CUM-LABOUR COURT, NAGPUR

Case No.CGIT/NGP/109/2002

Date: 27.03.2018.

Party No.1 : The Sub Area Manager
Hindustan Lalpeth Open Cast Sub Area of WCL,
Post- Lalpeth, Chandrapur (MS).

V/s.

Party No.2 : The General Secretary,
Koyla Shramik Sabha (HMS),
C/o. C.J. Khandre, Near Mahakali Mandir, Chandrapur (MS)

ORDER

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute for adjudication between the management of Western Coalfields Limited and the General Secretary, Koyla Shramik Sabha (HMS) vide letter **No.L-22012/196/2000-IR(CM-II) dated 19.10.2010**, on the following schedule:-

"Whether the action of the management of Hindustan Lalpeth Open Cast of WCL, Post Lalpeth, Distt. Chandrapur innot protecting wages of Shri Ramayan Sukhalu and Shri Gouri Shankar Bhaddu, Dumper operators, Hindustan Lalpeth Open Cast of WCL is Legal, proper and justified? If not, to what relief the workmen are entitled to?"

2. On receipt of this reference statement of claim and rejoinder filed by the petitioner and written statement filed by the party no.1.

On behalf of the petitioner evidence is produced. The statement of Mr. Gauri Shankar, Chandrakant Khandre was recorded on behalf of the petitioner. But on behalf of the party no.1 evidence on affidavit of Mr. K. Raja Prabhakaran was filed. On behalf of petitioner LR's of Gaurishankar and Ramayan Sukalu filed two applications for withdrawal of this reference. Mr Gaurishankar Bhaddu was dead and his LR's are recorded in statement of claim. On this application heard both the parties. On behalf of management no objection was filed. Petitioner Mr. Ramayan Sukalu and LR's of Mr. Gaurishankar Bhaddu was identified by Mr. Rakesh Shinde, Tripman of Chandrapur Area. Now application is accepted and permission of withdrawal is allowed.

Hence, it is ordered:-

ORDER

The application for withdrawal of the case is allowed. The case is treated as withdrawn. The application filed by the Party No. 2 for withdrawal of the case is made part of the order. The reference is answered in the negative and against the petitioner. The petitioner is not entitled to any relief.

S.S. GARG, Presiding Officer

नई दिल्ली, 18 मई, 2018

का.आ. 828.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मै. ओरीटको लि. एवं अन्य बैंकों के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, भुवनेश्वर के पंचाट (संदर्भ संख्या 01/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18.05.2018 को प्राप्त हुआ था।

[सं. एल-12011/81/2005-आईआर (बी-II)]

रवि कुमार, अनुभाग अधिकारी

New Delhi, the 18th May, 2018

S.O. 828.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 01/2006) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure, in the industrial dispute between the management of M/s ORITCO Ltd. & other Banks, and their workmen, received by the Central Government on 18.05.2018.

[No. L-12011/81/2005-IR (B-II)]

RAVI KUMAR, Section Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BHUBANESWAR**

PRESENT: Shri B.C. Rath, Presiding Officer,
C.G.I.T.-cum-Labour Court, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 01/2006Date of Passing Award – 16th April, 2018**BETWEEN:**

1. The Chairman-cum-M.D.,
Industrial Development Bank of India, IDBI Tower,
WTC Complex, Cuffe Parade, Mumbai-400 005.
2. The Chief Executive, ORITCO Ltd.,
A/130, Sahid Nagar, Bhubaneswar, Orissa.
 - 3(a) The ICICI Ltd., Mumbai.
 - 3(b) The CMD, IFCI, New Delhi.
 - 3(c) The MD, IPIOL, Bhubaneswar.
 - 3(d) The MD, OSICL, Cuttack.
 - 3(e) The MD, OSFCL, Cuttack.
 - 3(f) The Secretary, Industries Deptt.,
Govt. of Orissa, Bhubaneswar.
 - 3(g) The CGM, SBI, Bhubaneswar.
 - 3(h) The AGM, Bank of India, Mumbai
 - 3(i) The CMD, UCO Bank, Kolkatta.
 - 3(j) The Chairman, Andhra Bank, Hyderabad.
 - 3(k) The Jt. Secretary, Banking Division,
M/o. Finance, Govt. of India, New Delhi

... 1st Party-Managements.**(And)**

The General Secretary,
ORITCO Staff Association,
A/130, Sahid Nagar, Bhubaneswar-751 007.

... 2nd Party-Union.**APPEARANCES:**

M/s. K.N. Mishra, Advocate	...	For the 1 st Party-Management No. 1.
None.	...	For the 1 st Party- Mgts. No. 2 to 3(a, d, e, f, h, k)

M/s. S. Mishra, Advocate.	...	For the 1 st Party-Mgts. No. 3(g) & 3(i)
Shri Bipin Kumar Ekka, Sr. Manager –HR	...	For the 1 st Party-Management No. 3(j).
M/s. N.K. Mohanty, Adv.	...	For the 1 st Party-Management No. 3(b).
M/s. B.K. Mohanty, Adv.	...	For the 1 st Party-Mgt. No. 3(c).
Shri Lingaraj Parida, General Secretary.	...	For the 2 nd Party-Union.

AWARD

The award arises out of a reference made by the Ministry of Labour, Government of India vide letter No. L-12011/81/2005–IR(B-II), dated 20.12.2005 in exercising its authority conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (herein after referred to as “The Act”) as a dispute arose between the ORITCO Staff Association and the management of IDBI and ORITCO Ltd (herein after referred to as “The Company”). The schedule of reference is as follows:-

“Whether the action of the management of Industrial Development Bank of India (IDBI) and other share holders of ORITCO in not paying the statutory dues and service benefits of the employees of the ORITCO who have rendered continuous service for several years to the organization represented by the ORITCO Staff Association, Bhubaneswar is legal and justified? If not what relief the workmen are entitled to?”

2. Briefly stated the case of the Union as emerges from its statement of claim, is that ORITCO company is a public limited company established in the year 1976 being funded by IDBI and other Banks and financial institutions like Andhra Bank, State Bank of India, UCO Bank, IFCI, ICICI, Bank of India IPICOL, OSIC. The management of company was being looked after by a Board of Directors consisting of 12 members. The IDBI having 51% of share in the said company had five members including the post of Chairman and Managing Director in the said Board of Directors. Nominees of other financial institutions and State Governments were also in the said Board of Directors. The Board of Directors being policy makers are responsible for day to day administration and the management of the company. The company was having 50 employees for managing day to day work. It was engaged to identify Potential Entrepreneurs, prepare project profile and feasibility reports, undertake Techno Economic Feasibility Report, undertake Market Research & Surveys, Industrial Management & Financial consultancy, project supervision and technical assistance, Any type of research, Environmental Impact Studies, and any other training programmes etc. The service rule of the employee of the company was introduced with the approval of the Board of Directors and the workmen employed in the company have formed its union as named above which has been duly registered under the Trade Unions Act, 1926 and recognized by the Management of the company. The employees of the company have been rendering their job uninterruptedly, continuously and sincerely for last several years and none of them has been ever charge-sheeted for any misconduct and they have served the establishment to its best satisfaction. But, the Management of the company including the management of IDBI and other financial institutions failed to take up the responsibilities of their financial obligations for which the employees of the company did not receive their wages/salaries and other service benefits like medical reimbursement, leave encashment, yearly increment provident fund etc. for certain periods. Hence, the 2nd party-Union had placed its grievances before the Managements of IDBI and other financial institution so as to enable the company to make payment of the statutory dues to its employees. It is the pleading and stand of the 2nd party-Union that the Management of IDBI and other financial institutions having different proportionate shares in the company as well as proportionate representations in the Board of Directors are statutorily duty bound and responsible for making payment of arrear wages and other service benefits to the employees of the company. When the IDBI and other financial institutions paid a deaf ear to the demand of the 2nd party-Union, a dispute was raised before the labour machinery resulting in the present reference.

3. The management of IDBI has contested the claim of the Union denying its liability to make payment of arrear wages and service benefits to the employees of the company. In its written statement it has been pleaded that IDBI is a separate legal entity than the company and being a financial institution it had a limited promotional role in the formation of the company. It has no role in the day to day management, affairs, business and operation of the company. Its role was restricted to the act of investor/share holder. In the capacity of share-holder it had nominated some members to the Board. Some other financial institutions having shares in the company have also appointed their nominees as members of the said Board. The role of the nominees was restricted to the discussion in policy matters placed before it by the Management of the company and to take decisions on those matters. The ORITCO company was managed by a team of independent professionals and other supportive staffs having no connections with the

management of IDBI and other financial institutions. There was no “employer and employee” relationship between the staffs of the company and IDBI or other financial institutions. It has no control or supervisory power in the selection and recruitment of Executives and staffs of the company as well as fixation of their wages/salaries and service conditions. There is also no contract between the IDBI and the employees of the company or the Management of the said company so as to fasten the Management of IDBI to make payment of wages and service benefits to the employees. Thus, it has no legal or moral obligation for unpaid salaries and service benefits of the employees except its liability or obligation limited to the extent of unpaid shares, if any. It has, further, taken a stand that having transferred its shares in favour of SIDBI and withdrawn its nominees from the Board of Directors since long it has no liability or obligation to the demand of the 2nd party-Union. The Management of ORITCO having failed to make its appearance in the reference inspite of sufficiency of notice has been duly set exparte. It is pertinent to mention here that at the instance of the 2nd party-Union other financial institutions i.e. IFCI, IPICOL, State Bank of India, Andhra Bank, UCO Bank have been impleaded in the case. All of them have also contested the claim of the Union filing their separate written statements taking almost similar stand taken by the Management of the IDBI.

4. On the aforesaid pleadings of the parties the following issues have been settled for a just and proper adjudication of the dispute.

ISSUES

1. Whether the action of the Management of Industrial Development Bank of India (IDBI) and other share holders of ORITCO in not paying the statutory dues and service benefits of the employees of the ORITCO who have rendered continuous service for several years to the organization represented by the ORITCO Staff Association, Bhubaneswar is legal and justified?
2. Whether the reference is bad for non-joinder and mis-joinder of parties?
3. Whether the 2nd party Union has any locustandi to put forth any claim against the 1st Party-Managements?
4. If not, to what relief the workmen are entitled?
5. The 2nd party-Union has examined three witness namely Shri Bhikiari Charan Tripathy, Shri Kartik Charan Dehury, and Shri Lingaraj Parida, who are stated to be the staff of the company and filed copy of the Memorandum of Articles of Association, copies of the letters from IDBI to ORITCO issued on different dates, copy of the ORITCO Staff Rules, copy of the letter from ORITCO for reorganization to ORITCO Staff Association on dated 4.8.1983, copies of the appointment orders of workmen, copies of three agreements between the ORITCO Management and ORITCO Association, copy of the letter of te Union to the Management and other share holders on different dates, copy of the Award passed in I.D. Case No. 8/2000 passed by the Industrial Tribunal, copy of the order passed in Misc. Case No. 428/95, copy of the written statement filed in I.D. Case No. 8/2000, copy of the proceeding of the meeting presided by the Government in Industries Deptt, copies of the revival plant of ORITCO and letters to IDBI and other share holders, copy of the letter of IDBI for transfer of share to SIDBI on 31.7.2009 & 25.11.2009, copy of the list of ORITCO Board of Directors invited to last board meeting on 27.08.2002 which are marked as Ext.-1 to Ext.-15 in support of the pleadings advanced in the statement of claim. Per contra, the Managements of IDBI, State Bank of India, UCO Bank, Andhra Bank, IPICOL and have examined one witness each to refute the allegations raised in the claim statement of the Union.
6. Since the issues are inter-linked to each other they are taken into consideration simultaneously for the sake of convenience.

It is apparent from the pleadings and evidence of the parties that the company of ORITCO has separate legal entity than the Management of IDBI and other financial institutions who are stated to be the share-holders of the company. There is no serious dispute that the ORITCO is a public limited company and an Undertakings of the Government of Odisha. It is also emerging from the evidence of the parties and cross examination of W.Ws that none of the employees of the ORITCO was appointed by any of the share holders including the Management of IDBI. The 1st Party-Managements except the company have neither any supervisory role in the day to day work of the company nor the employees of the company were ever working under the supervision and control of those Management-Banks. W.W-1 has further admitted that the company was filing its return separately before the Registrar of the Companies. He admits that liability of the share-holders with regard to profit and loss of the company is confined only to the dividends. The M.D. of the company was the appointing authority of the disputant workmen. He admits to have worked under the management of the company and not under any share-holders. It is elicited from their cross examination that one of the workmen was retrenched earlier and he was reinstated. Usually suspension/dismissal/retrenchment of the workmen of the company was not made on approval of the share-holders. It is emerging from his cross examination and cross examination of other witnesses that on earlier occasions settlements were reached out between the staff

and the Management of the company with regard to enhancement of wages and other service conditions and on those occasions neither the IDBI nor any financial institutions were a party to such settlements.

7. The witnesses examined on behalf of the Financial Institutions have stated in an identical manner that the financial institutions other than the company are no way liable and responsible for non-payment of salaries and other service benefits to the staff of the company as no relationship of employer and employee exists between them and the staff of the company. The employees of the company are covered under the Employees Provident Funds and other provisions under ORITCO and they were receiving their wages and other benefits from the Management of ORITCO. There is no privity of contract in any form between the Management of the company and the Managements of the financial institutions to make the financial institutions legally duty bound to bear the expenditure of the company towards wages of its staff. Any of the financial institutions has any nexus with the administrative affairs of the company or its employees. The role of the institutions was restricted to the role of an investor i.e. share-holder only. Indisputedly, it is emerging from the evidence of these witnesses that none of the financial institutions has any role in the man-power, planning, recruitment, selection, appointment of senior executives and other sub-ordinate staffs including fixation of salary, wages and payment thereof. The ORITCO is neither a subsidiary of the IDBI or any other financial institution. The staff of the company are governed by the rules and circulars introduced by the Management of ORITCO. It has been specifically stated by these witnesses that the employees of the company are not the “workmen” of any of the financial institutions as defined under section 2(s) of the Act. Such oral evidence of the witnesses has not been demolished in any manner and rather, the same is getting support from the pleadings and evidence of the 2nd party-Union. It is seen from the evidence of the witness examined on behalf of the IDBI Management that in the meanwhile the IDBI transferred its share in favour of SIDBI. As per his evidence those shares having been fully paid, the Management of IDBI has no liability towards loss of the company. The documents filed by the 2nd party-Union i.e. Ext.-8 and Ext.-9 clearly reveal that on earlier occasions when there was a dispute regarding enhancement of wages and non-payment of wages, reference and Misc. case were instituted before the State Industrial Tribunal of Govt. of Odisha and the Management of ORITCO was dragged only as a party to those reference and the case. Even, if it is accepted for argument sake that the management of IDBI and other financial institutions had played or acted as a promoter of the company or funded in formation of the company, they cannot be held responsible or liable for all the times for the liability incurred by the company. The Management of ORITCO having a separate legal entity and juristic person can sue and can be sued separately. The Management of all the financial institutions have no role to play either in the day to day administration of the management of the company or in the appointment of its executives and sub-ordinate staffs. The 2nd party-Union has failed to file any document to show that there was any privity of contract by which either the IDBI or any other financial institution impleaded in the reference has a legal liability towards wages and office expenses of the company. The Memorandum of Association of the company does not bear any term and condition by virtue of which the share holders or promoters can be dragged into the court of law to bear the liability of the company towards its office expenses or wages to be paid to its employees. Be that as it may, the Management of the financial institutions including the IDBI cannot be held legally or morally liable to make good of the loss sustained by the management of ORITCO so as to enable it to pay the statutory dues and service benefits to its employees. These financial institutions cannot be compelled or forced to make payment of statutory dues and service benefits of the workmen of the ORITCO. The Management of ORITCO is solely liable and responsible for such non-payment of statutory dues and service benefits. In the facts and circumstances analysed above the Management of ORITCO can be held liable for non-payment of statutory dues and service benefits to its employees who have rendered continuous service for several years to the organization and the Management of IDBI or any other Bank/Financial institution is no way concerned for such non-payment of statutory dues and service benefits.
8. It is not out of place to mention here that the management of IDBI and managements of other financial institutions have advanced a pleading that the reference is not maintainable in this forum on account of the dispute is between the management of ORITCO and its employees and the ORITCO being a State Government undertaking, the appropriate government in the matter is the State Government of Odisha and as such any effort towards conciliation was supposed to be taken over by the labour machinery of the Government of Odisha. Admittedly the company is a State Government Undertaking and it has no nexus with the financial institutions for its day to day administration or management. On earlier occasions dispute between the employees and the management of ORITCO was referred to the State Industrial Tribunal. Having regard to the above fact and circumstance doubt can also be entertained on the maintainability of the reference in this Tribunal.

The reference is answered accordingly.

Dictated & Corrected by me.

B. C. RATH, Presiding Officer

नई दिल्ली, 18 मई, 2018

का.आ. 829.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सैन्ट्रल बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. 2, नई दिल्ली के पंचाट (संदर्भ संख्या 16/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18.05.2018 को प्राप्त हुआ था।

[सं. एल-12011/129/2008-आईआर (बी-II)]

रवि कुमार, अनुभाग अधिकारी

New Delhi, the 18th May, 2018

S.O. 829.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 16/2009) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, New Delhi as shown in the Annexure, in the industrial dispute between the management of Central Bank of India and their workmen, received by the Central Government on 18.05.2018.

[No. L-12011/129/2008-IR (B-II)]

RAVI KUMAR, Section Officer

ANNEXURE

BEFORE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT No.2: ROOM No.512, DWARKA COURT COMPLEX, SECTOR 10, DWARKA, DELHI – 110 075

ID No. 16/2009

The President,
Central Bank Workers Union,
Link House, 4, Bahadur Shah Zafar Marg,
Press Area,
New Delhi – 110 002

...Workman

Vs.

The Zonal Manager,
Central Bank of India,
Link House,
3, Bahadur Shah Zafar Marg,
New Delhi – 110 002

...Management

AWARD

In this case a reference was received from the Ministry of Labour and Employment vide letter No. L-12011/129/2008-(IR(B-II)) dated 11.02.2009 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, (in short, the Act) this for adjudication of an industrial dispute, terms of which are as under :

‘Whether the action of the management of Central Bank of India in terminating the services of Shri Anil Kumar with effect from 07.08.2007 is just, fair and legal? What relief the workman concerned is entitled to and from which date?’

2. Both parties were put to notice and upon appearance, Shri Anil Kumar (hereinafter referred to as the claimant) filed statement of claim with the averments that he had been in the services of Central Bank of India (hereinafter referred to as the Bank) for the last 20 years and was an Executive member of Central Bank Workers Union . He was served with a charge sheet on 28.10.2006 alleging misappropriation by him for Rs.60,580.00 when he was working as clerk at Sarita Vihar branch. This charge sheet was issued to the claimant in a well planned manner to punish him for his trade union activities. Even prior to issue of the said charge sheet, claimant was issued various memos. Claimant filed reply to the memo as well as charge sheet. However, the same was not considered by the management. It is clear from the records that Shri R.S. Sharma, was appointed as Enquiry Officer , by the bank who has conducted a mock and fake enquiry and enquiry report dated 28.03.2007 was submitted to him to the disciplinary authority whereby claimant has been held guilty of the charges mentioned in the charge sheet. Thereafter, claimant filed an appeal on 20.07.2007 with Deputy General Manager. However, the same was rejected on 10.10.2017 in a mechanical manner without appreciation of the submissions made by the claimant. Even the mercy plea filed by the claimant to the management was also rejected as being not admissible. Claimant challenged validity of the domestic enquiry during the proceedings

before this court by alleging that the same is in violation of principles of natural justice as well as banking norms. Enquiry Officer was also acting under the guidance of the management as is clear from the records.

3. It is further alleged that Shri Rajesh Goyal, DW-1 had sent Rs.60,580.00 to the claimant through his servant and he has supported the version of the claimant by stating that the entire fault was that of his servant and not that of the claimant. However, the Enquiry Officer has ignored the defence version of the claimant and has also not been provided copy of Vigilance Officer's report. Finally, the claimant has filed order of dismissal passed against him by the competent authority.

4. Management has filed written statement to the claim petition filed by the claimant, wherein specific preliminary objections have been taken. It has been admitted that the claimant was in service of the bank previously for the last 20 years and was also member of Executive Committee of Central Bank Workers Union. There is also reference to the reply filed by the claimant. It is denied that the management had not considered evidence adduced by the claimant. It is further alleged that the claimant is in fact guilty of misconduct and he was placed under suspension on 02.09.2006 and thereafter he was issued charge sheet dated 28.10.2006 as per provisions of Clause 12 (b) of Memorandum of Settlement against the claimant. Claimant has attended most of the enquiry proceedings conducted by the management and he claimant has sought unnecessary adjournments. He was fully aware of the various dates of proceedings of the enquiry. After considering the entire evidence on record, Enquiry Officer submitted his report holding the charges to be proved against the claimant and management after considering the same and after due application of mind has passed a reasoned order resulting in dismissal of the claimant.

5. Rejoinder to the written statement was filed by the claimant wherein the stand taken in the statement of claim was reiterated.

6. Against this factual background, this Tribunal on the basis of pleadings of the parties, has framed the following issues:

- (i) Whether the departmental enquiry conducted in this case is legal, just and fair and is not in violation of the principles of natural justice? If not, what directions are called for in this case?
- (ii) As per the reference sent by the Government of India in this case.
- (iii) Relief.

7. Issue No.(i) pertaining to the domestic enquiry was treated as preliminary issue and both parties adduced evidence regarding privity of the enquiry before this Tribunal. This Tribunal vide order dated 08.06.2016 concluded that the domestic enquiry has not been conducted in a fair manner and the same is against the principles of natural justice. Accordingly, issue No.1 was decided in favour of the claimant and against the management.

8. Thereafter, this Tribunal afforded an opportunity to the management to adduce evidence on the charge of misconduct as mentioned in charge sheet Ex.WW1/1. Management, in order to prove misconduct initially filed affidavit of Shri R.S. Sharma. But, later on, an application was moved on behalf of the management for substitution of the management witness, which application was rejected by this Tribunal on the grounds of delaying tactics being adopted by the management and evidence of the management was closed by the order of the court on 25.04.2017 and the case was listed for workman evidence/arguments. Again, an application was moved on behalf of the management for examining Shri Naveen Kumar, for proving misconduct of the claimant, which application was also rejected by the Tribunal.

9. The claimant examined himself and his affidavit is Ex.WW1/B.

10. It is pertinent to mention here that the Hon'ble High Court in WP(C) No.5294/2017 titled 'Central Bank of India Vs. Anil Kumar' has afforded an opportunity to the management to examine Shri Naveen Kumar as a witness, subject to cost. It was against this background that Shri Naveen Kumar was examined as MW2 before this Tribunal.

11. In the present case, it is clear from perusal of the charge sheet Ex.WW1/1 that the claimant herein was charged on account of misconduct in respect of the following charges:

On 20.04.2016, Shri Anil Kumar received cash of Rs.60,580.00 towards payment of fees of four students of DAV Public School, as per details given hereunder:

S. No.	Receipt No.	Name of Student	Class and Section	For the Quarter	Amount (Rs.)
1	003146	Dhruv Goyal	IX-A	April, May and June'06	5440
2	003146	Dhruv Goyal	IX-A	July, Aug. and Sept.06	3840

3	003146	Dhruv Goyal	IX-A	Oct., Nov. and Dec.06	3840
4	003146	Dhruv Goyal	IX-A	Jan., Feb. and March'07	3840
5	002820	Pratika Goyal	VIII-B	April, May and June'06	4915
6	002820	Pratika Goyal	VIII-B	July, Aug. and Sept.06	3315
7	002820	Pratika Goyal	VIII-B	Oct., Nov. and Dec.06	3315
8	002820	Pratika Goyal	VIII-B	Jan., Feb. and March'07	3315
9	001870	Manika Goyal	V-A	April, May and June'06	4885
10	001870	Manika Goyal	V-A	July, Aug. and Sept.06	3285
11	001870	Manika Goyal	V-A	Oct., Nov. and Dec.06	3285
12	001870	Manika Goyal	V-A	Jan., Feb. and March'07	3285
13	000636	Aryam Goyal	I-A	April, May and June'06	4705
14	000636	Aryam Goyal	I-A	July, Aug. and Sept.06	3105
15	000636	Aryam Goyal	I-A	Oct., Nov. and Dec.06	3105
16	000636	Aryam Goyal	I-A	Jan., Feb. and March'07	3105
				TOTAL	60,580

While receiving amount of Rs.60,580.00 following lapses were committed by Shri Anil Kumar:

- On 20.04.2006, Shri Anil Kumar was not working at Cash Receipt seat of the branch even then he received cash as mentioned above and issued cash receipts in respect of above mentioned 16 cash deposit receipts.
- Cash amount of Rs.60,580.00 was received by Shri Anil Kumar without getting the above mentioned receipts scrolled from the accounts department.
- In token of having received the said amount, Shri Anil Kumar issued/released counterfoils, i.e. parent's copies of the receipts under his initials/signatures by putting rubber stamp of cash receipt of branch office Savita Vihar dated 20.04.2006. Amount of Rs.60,580.00 deposited through these receipts was not account for on 20.04.2006 at BO:Savit Vihar. Thus Shri Anil Kumar did not deposit the said amount of Rs. 60,580.00 in current account No.1001323230 of DAV Public School, Shreshta Vihar on 20.04.2006.
- On 29.07.2006 DAV School forwarded the photocopies of aforesaid fee receipts to Savita Vihar branch and requested for taking necessary action as the fees deposited through the above mentioned receipts was not credited in the School's account maintained with the branch. On 08.08.2006 entire fees of Rs.60,580.00 plus late fees as applicable in respect of above mentioned students was deposited in the branch through the deposit receipts of the concerned students bearing the same serial number as the serial numbers printed on the counterfoils released by Shri Anil Kukar on 20.04.2006. Thus, Shri Anil Kumar misappropriated funds of Rs.60,580 for 110 days.

12. Claimant has also filed reply to the above charge sheet which is Ex.WW1/4 wherein he has denied the allegations contained in the charge sheet. In para 6 and 7 of his reply, he has clearly stated that as far as he recollects, on 20.04.2006, one of his friends, named Shri Rajesh Goyal, whose children are studying in DAV Public School Shreshta Vihar sent his servant to deposit school fees. There was rush at the receipt cash counter so he took the money and School's challan from him and returned the parent's copy after affixing stamp thereon on the slips of challan as the servant told him that Shri Goyal is in a hurry. Shri Goyal was well known to him and he gave duly receipted stamped challan copy to him and looking to his urgency, he asked the servant to wait so that he could count the cash. While he was counting the cash, he found some notes defective and asked the servant to get them changed. The servant came back after some time and informed him that Shri Goyal had already left and his number is not responding, hence the claimant returned the challan copy and money to the servant and asked him to bring proper cash.

13. It is pertinent to note here that vide order dated 11.10.2017, learned authorized representatives for the respective parties have stated that they have no objection in case documents which have been exhibited and proved during the course of evidence before this Tribunal while considering validity of domestic enquiry are taken into consideration. It was thereafter that evidence of Shri Naveen Kumar was recorded.

14. It is well settled principle in law that when the domestic enquiry conducted by the management has been held to be unfair or against the principles of natural justice, the evidence so recorded during the course of domestic enquiry would not constitute to be 'fresh evidence' or 'material on record' within the meaning of Section 11-A of the Act. As such, enquiry proceedings have been found to be bad and cannot be taken into consideration so as to prove the charge of misconduct against the delinquent official.

15. Now the main question before this Tribunal is as to whether the management has succeeded in proving the misconduct against the claimant herein. In this regard, the only evidence by the management after holding domestic enquiry to be unfair and against the principles of natural justice is that of Shri Naveen Kumar, MW2 and his affidavit is Ex.MW2/A. He has also tendered in evidence documents Ex.MW2/1 to Ex.MW2/11. He has admitted in his statement that letter dated 07.08.2006 as mentioned in para 4 of his affidavit Ex.MW2/A has not been placed on court file. He further admitted that there was no written order with respect to assigning of duties of payment cashier to the claimant. The said order was oral. He has admitted that he was a witness of the management in the domestic enquiry. He has admitted that in his evidence before the Enquiry Officer that payments cashier also takes receipt of cash from customers in exigencies of the bank and to provide better customer service. This witness was specifically asked about receipts Ex.MW1/1 to MW1/4 but he was not in a position to state as to who deposited amounts mentioned in the said receipt. He further stated that he is not aware whether Shri Rajesh Goyal appeared as a witness in the domestic enquiry. However, he has made a vital admission that a letter dated 08.09.2006 was received from the school authorities and this fact is clearly mentioned in the Enquiry Report at page No.70, contents of which are as under:

'Reference to your letter dated 11.08.2006 on the above noted subject, I am to inform you that the parents of the students as mentioned in your letter under reference have deposited the entire fees on 08.08.2006 and also given a regret letter to the school authorities regretting the inconvenience to the school/bank.' and the letter has been signed by Prem Lata Garg, Principal.

16. Hence, it is apparent that the school authorities have admitted that parents of the students have deposited the entire fees on 08.08.2006 and have also given letter of the school authorities in this behalf that any inconvenience caused to Goyal or the School is regretted and now the school has no complaint against the bank. This letter has been signed by Ms.Prem Lata Garg, Principal of the school. Thus, it is clear from perusal of this letter as well as other evidence on record that the claimant herein has not misappropriated the amount in question in any manner and the entire fees in respect of the students stood deposited on 08.08.2006. Thus, there is no question of any kind of misappropriation or embezzlement of the above amount. Equally vital is the fact that in the charge sheet management has used the expression 'lapses have been committed by the claimant.'

17. Since from the evidence on record, it is clear that there is no misappropriation of funds of any kind committed by the claimant, as such, this Tribunal is of the view that the management has failed to prove charge of misconduct against the claimant. Thus, the action of the management in terminating services of the claimant Shri Anil Kumar with effect from 07.08.2007 is unjust, unfair and illegal. Hence, management is directed to reinstate Shri Anil Kumar, the claimant herein in service with all consequential benefits. An award is, accordingly, passed. Let a copy of this Award be sent for publication as required under Section 17 of the Act.

A.C. DOGRA, Presiding Officer

Dated: March 12, 2018

नई दिल्ली, 18 मई, 2018

का.आ. 830.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार यूको बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जयपुर के पंचाट (संदर्भ संख्या 16/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18.05.2018 को प्राप्त हुआ था।

[सं. एल-12011/112/2008-आईआर (बी-II)]

रवि कुमार, अनुभाग अधिकारी

New Delhi, the 18th May, 2018

S.O. 830.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 13/2009) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur as shown in the Annexure, in the industrial dispute between the management of UCO Bank and their workmen, received by the Central Government on 18.05.2018.

[No. L-12011/112/2008-IR (B-II)]

RAVI KUMAR, Section Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, JAIPUR****PRAMOD KUMAR CHATURVEDI****PRESIDING OFFICER****I.D. 13/2009**

Reference No. L-12011/112/2008-IR (B-II)

Dated: 10.2.2009

General Secretary

UCO Bank Employees Association

Zonal Office, Imperial Hotel Building,

M.I.Road, Jaipur.

V/S

Dy. General Manager

UCO Bank Zonal Office,

Arcade International, Civil Lines, Jaipur.

For the applicant Union : Sh. R.C.Jain, Representative.

For the opposite party : Sh. Ramkumar Sharma, Advocate.

AWARD

1. The Central Government in exercise of the powers conferred under clause (d) of Sub Section 1 & 2 (A) of Section 10 of the Industrial Disputes Act 1947 has referred the following Industrial dispute to this tribunal for adjudication:-

“ Whether the action of the management of UCO Bank through Dy. General Manager, Jaipur in recovering the amount of Rs.5581/- on 5.5.1998 from the salary of the employee Shri Girish Chand Sharma, Head Cashier from his pay of Jan., to March 1998 on account of lost of key by the employee without providing an opportunity of being heard is just and fair? What relief the workman is entitled to and from which date?”

2. The case was called for several times. Learned representative for applicant union is present. None responds for the opposite party.
3. After receiving the reference from the Ministry of Labour & Employment, Govt. of India notices were served on both the parties. In response to the notice to the applicant Union, UCO Bank Employees Association, Jaipur, submitted the statement of claim alleging that the workman Sh. Girish Chand Sharma has been working as Head Cashier in the Bais-Godown branch of UCO bank & has also been a member of the Associated Union. Workman Sh. Girish Chand Sharma while working as Head Cashier in the aforesaid branch was served with notice dated 29.12.97 which he replied. It has further alleged that the Branch Manager, MandabhimSingh without holding a proper enquiry deducted Rs.5581.30 on 8.5.98 from the salary of the month January, February & March, 1998 of the workman for a charge of the cost of the keys which was illegal & improper as no proper enquiry was held into the matter. The aforesaid union requested the Manager to restore/repaid of the aforesaid amount to the workman but to no result. It has been further alleged that the aforesaid workman was very much present on 13.7.97, 14.7.97 & 17.9.97 but the Manager of the branch debited his leaves for the aforesaid period from his account. It has been further alleged that without any reason the branch manager did not pay salary of the period from 3.11.97 to 6.11.97 without any reason. It has been further alleged that the workman Sh. Girish Chand Sharma was to be granted the increments on 1.2.98, 1.2.2001 & 1.2.2004 as stagnation increment but same was not done without showing any reason. It has been further alleged that the branch manager has also deducted Rs.1000/- from the pay of the workman without any reason & conducting any enquiry. It has been further alleged that the branch manager directed the workman to appear before the Superintendent of Police, Dausa on 19.4.1999 which he complied the direction of the branch manager but his travelling allowance bill was rejected by the branch manager. Thus, it has been prayed that all the aforesaid deductions be declared illegal & the workman be directed to be paid Rs.5581.30 in lieu of the

deductions for the cost of the keys. It has further been prayed that workman Sh. Girish Chand Sharma be granted first, second & third stagnation increment w.e.f. 1.2.98, 1.2.2001 & 1.2.2004 respectively along with Rs. 1000/- being deducted from the salary of the workman by the branch manager. It has been further prayed that he also be paid his salary of the four days leaves as deducted by the branch manager from the leave account of the workman & four days leaves shown in the account be treated as working days of the workman.

4. The opposite party despite service, an acknowledgement of service received & also Mr. Rajkumar Kumawat, Advocate filing his appearance on behalf of the opposite party thrice did not prefer to submit the written statement, therefore, the case was ordered to proceed ex-parte against the opposite party on 28.7.2011.
5. The applicant union submitted affidavit of workman Sh. Girish Chand Sharma who reiterated the averments made in the statement of claim & the opposite party despite not submitting written statement has also not preferred to cross examine him, thus, the affidavit of the workman is fit to be believed. Thus, the reference is finally disposed off with the observation as under:-

“The action of the management of UCO Bank through Dy. General Manager, Jaipur in recovering the amount of Rs.5581/- on 5.5.1998 from the salary of the employees Sh. Girish Chand Sharma, Head Cashier from his salary from January to March, 1998 on account of loss of keys by the employee without providing an opportunity of being heard was unjust & unfair.”

6. As regards other prayers sought in the statement of claim cannot be entertained because the tribunal has no locus standi or jurisdiction to go beyond the scope of the reference.
7. Thus, in the light of the aforesaid observations the opposite party UCO bank is directed to pay Rs.5581/- with 6% composite interest along with Rs.20,000/- as legal expenses to the employee within the sixty days from the publication of the award. The award is passed accordingly.
8. Award as above.

PRAMOD KUMAR CHATURVEDI, Presiding Officer

नई दिल्ली, 18 मई, 2018

का.आ. 831.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार कोलकत्ता पोर्ट ट्रस्ट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कोलकत्ता के पंचाट (संदर्भ संख्या 22/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18.05.2018 को प्राप्त हुआ था।

[सं. एल-32011/3/2008-आईआर (बी-II)]

रवि कुमार, अनुभाग अधिकारी

New Delhi, the 18th May, 2018

S.O. 831.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 22/2008) of the Central Government Industrial Tribunal-cum-Labour Court, Kolkata as shown in the Annexure, in the industrial dispute between the management of Kolkata Port Trust and their workmen, received by the Central Government on 18.05.2018.

[No. L-32011/3/2008-IR (B-II)]

RAVI KUMAR, Section Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT KOLKATA

Reference No. 22 of 2008

Parties: Employers in relation to the management of Kolkata Port Trust
AND
Their workmen.

Present: Justice Ravindra Nath Mishra

...Presiding Officer

Appearance:

On behalf of the Management : Mr. G. Mukherjee, Industrial Relations Officer.

On behalf of the : Mr. G.C. Chakraborty, Adviser to the Union.
Workmen

State: West Bengal. Industry: Port & Dock.

Dated: 11th May, 2018

A W A R D

By Order No.L-32011/3/2008-IR(B-II) dated 15.09.2008 the Government of India, Ministry of Labour in exercise of its powers under Section 10(1)(d) and (2A) of the industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication:

“Whether the demand of the Calcutta Port Trust Worker’s Union, claiming for promotion of Sri Manoj Upadhayay, LDC on selection basis, to the post of Law Assistant in Estate Department of Kolkata Port Trust, is justified and legal? If so, to what relief the workman is entitled for?”

2. In response to notice issued by this Tribunal, parties appeared and filed their pleadings. In the statement of claim, the workman’s union has stated that Shri Manoj Upadhayay was initially appointed as T.T. Driver under C.T.M. of Kolkata Port Trust on 3rd September, 1991. Subsequently he was appointed as Lower Division Clerk with effect from 3rd July, 2000 and was posted at Mechanical Engineering Department. He was entrusted with the matters relating to court cases. He was also asked to appear before the Estate Officer in various court cases as and when the concerned Assistant Law Manager (Legal) was not available. Thus he was discharging all the duties and responsibilities which were vested with the Law Assistant. The management of Kolkata Port Trust issued a circular for filling of the post of Law Assistant in the Estate Department fixing essential criteria *inter alia* that a candidate having 10 years working experience either as Head Clerk or as Head Clerk and U.D.C. taken together with a degree in law from recognized university and thorough knowledge of the procedure of civil and criminal courts. The circular was issued by the management with a vindictive attitude to deprive the workman from his legitimate claim for the post of Law Assistant as previously one Shri Somnath Dey who was working as a Lower Division Clerk have been promoted as Law Assistant in the year 1988 on the basis of circular dated 8th June, 1987 in which there was no criteria of 10 years experience. The decision of the management for filling up the post of Law Assistant from outsiders particularly from the ex-army men is the vindictive action of the management against the workman. Despite several demands the management did not disclose rules and procedure for promotion of Shri Somnath Dey in the year 1988. Thus, refusal for promotion of the workman to the post of Law assistant in the Estate Department with effect from 5th February, 2004 is not at all justified.

3. The management has contested the claim of the union by filing written statement in which it has been *inter alia* pleaded that the post of Law Assistant in the scale of Rs.6170 – 11975 under the Estate Department is in Class-III cadre and is the highest scale of pay available in the said cadre. The post of Law Assistant being a selection grade post, promotion is to be made strictly as per the merit of the eligible candidates and not on the basis of seniority or seniority-cum-suitability. It has further been pleaded that in the year 2002 a post of Law Assistant in the Estate Department fell vacant and it was decided to fill up the vacancy of departmental candidates from amongst the Head Clerk having 10 years of service and LL.B. degree. Accordingly a circular was issued on 10th February, 2003 inviting applications from the eligible candidates of all the departments of Kolkata Dock System. However, no application was received against the said circular. Therefore, it was decided to relax experience criteria from 10 years as Head Clerk to 10 years of service in different cadres from LDC to Head Clerk taken together. This time also, candidates fulfilling the requirements were not available compelling the management to further relax experience criteria. The experience criteria was relaxed to 10 years experience as U.D. Clerk (Selection grade) and Head Clerk taken together with LL.B. degree. This time also no application was received in response to the circular. Therefore, it was decided to approach the Government seeking permission for filling up the post by direct recruitment. On 21st February, 2005 when second circular was issued by Estate Department inviting applications from the Head Clerk having LL.B. degree and 10 years experience in clerical grade, the workman Shri Manoj Upadhayay made an application for the said post but as his qualification and experience did not match to the stipulated requirement, his case was not considered. The management has further pleaded that promotion of Shri Somnath Dey for the post of Law Assistant in the year 1988 is distinctly different on facts and circumstances of the case which cannot form basis of promotion of Shri Manoj Upadhayay. The management has denied that vindictive attitude has been taken towards Shri Manoj Upadhayay to deprive him of his claim for the post of Law Assistant and a new procedure for promotion to the post of Law Assistant was adopted. It is also denied that Shri Manoj Upadhayay ever discharged duties and responsibilities of a Law Assistant. Finally it is pleaded that demand for promotion of the workman, Shri Manoj Upadhayay to the post of Law Assistant is unjustified and without any merit and consequently he is not entitled to any relief.

4. The union has filed a rejoinder against the written statement of the management reiterating the facts stated in the statement of claim.

5. In support of the claim of the workman the union has examined the concerned workman as WW-01 who has also been cross-examined by the management. For the management Smt. Subarna Thakur as MW-01 has filed her affidavit in examination in chief and has appeared for cross-examination by the union.

6. The contention of the union is that the circulars issued by the management on 10th November, 2003, 20th October, 2005 and on 11th August, 2006 prescribing 10 years experience is nothing but vindictive attitude towards the workman as previously the circular dated 8th June, 1987 issued for promotion to the post of Law Assistant and on the basis of which Shri Somnath Dey was promoted does not prescribe any experience. The union has further contended that the workman has been discharging duties and responsibilities of Law Assistant and therefore, he is entitled for promotion to the post.

7. Now the question arises whether an employee has a right for promotion? Elaborating this point, Hon'ble Supreme Court has held in **Badrinath v. Government of Tamilnadu & Ors**, AIR 2000 SC 3243 that every officer has right to be considered for promotion under Article 16 of the Constitution to higher post subject to eligibility **provided he is within the zone of consideration** and the courts will not interfere with the assessment made by the departmental promotion committee, unless the aggrieved officer establishes that the non-promotion was *malafide*. Now, in the present case, as per subsequent circulars issued by the management of Kolkata Port Trust, the workman Shri Manoj Uoadhayay was not at all within the zone of consideration. Simply because in circular issued in 1987 the requirement of experience was not there, it cannot be said that subsequent circular was *malafide* or in any way vindictive towards to the workman.

8. It is not the case of the union that the management had no authority to issue circulars dated 10.11.2003 and 11.08.2006 prescribing work experience. There is nothing in Kolkata Port Trust Employees (Recruitment, Seniority and Promotion) Regulations, 1985 which prescribed eligibility for promotion to the post of Law Assistant. It is for the management to decide criteria for eligibility by issuing circulars. The workman is not discriminated from amongst the equals, i.e., it is not the case of the union that in pursuance of subsequent circular somebody was appointed as Law Assistant who had no work experience.

9. The union has relied on letter dated 19th January, 2010 of Kolkata Port Trust to contend that shri Somnath Dey was promoted to the post of Law Assistant on the basis of circular dated 8th June, 1987. The above letter dated 19th January, 2010 is a report submitted by the Land Manager of Estate Department on representation of the workman which mentions promotion of shri Somnath Dey in the year 1988 but at the same time it also mentions that recruitment/promotion was done in contravention of the recruitment rules and the recruitment rules were not followed. It also mentions that the mistakes done by the management cannot be perpetuated. Thus, even though the workman was discriminated, his promotion to the post of Law Assistant has no legal foundation as two wrongs could not make one right. Hon'ble Supreme Court in **Kastha Niwarak Grahnrman Sahakari Sanstha Maryadit v. Indore Development Authority**, AIR 2006 SC 1142 has held that two wrongs do not make one right. The relevant portion of the judgment may be extracted as below for better appreciation:

“Two wrongs do not make one right. A party cannot claim that since something wrong has been done in another case, direction should be given for doing another wrong. It would not be setting a wrong right, but would be perpetuating another wrong. In such matters, there is no discrimination involved. The concept of equal treatment on the logic of Article 14 of the Constitution cannot be pressed into service in such cases. What the concept of equal treatment presupposes is existence of similar legal foothold. It does not countenance repetition of wrong action to bring both wrongs at par. Even if hypothetically it is accepted that wrong has been committed in some other case by introducing a concept of negative equality, the appellant cannot strengthen its case. It has to establish its case on some other basis and not by claiming negative equality.”

Thus on the basis of precedence of Shri Somnath Dey the union cannot claim promotion of the workman to the post of Law Assistant.

10. The union can also not claim promotion of workman, Shri Manoj Upadhayay to the post of Law Assistant on the basis of entrustment of duties and responsibilities of law Assistant. A person can be promoted only when he fulfills the requisite qualification for a particular post. Similarly, because a person has been entrusted the work relating to court and legal matters, he does not become entitled to hold the post of Law Assistant.

11. In view of the above, I come to the conclusion that the demand of the Kolkata Port Trust Worker's Union claiming promotion of Shri Manoj Upadhayay, LDC on selection basis to the post of Law Assistant in the Estate Department is not at all justified and legal and therefore he is not entitled to any relief.

Award is passed accordingly.

Justice RAVINDRA NATH MISHRA, Presiding Officer

Dated, Kolkata,
11th May, 2018.

नई दिल्ली, 21 मई, 2018

का.आ. 832.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, उप निदेशक, यूनानी चिकित्सा, क्षेत्रीय अनुसंधान संस्थान, लखनऊ और अन्य एवं उनके कर्मचारी के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 18/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09.05.2018 को प्राप्त हुआ था।

[सं. एल-42025/03/2018-आईआर (डी.यू.)]

राजेन्द्र जोशी, उप निदेशक

New Delhi, the 21st May, 2018

S.O. 832.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Misc. No. 18/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the industrial dispute between the employers in relation to the Dy. Director, Regional Research Institute of Unani Medicine, Lucknow & other and their workmen, which was received by the Central Government on 09.05.2018.

[No. L-42025/03/2008-IR (DU)]

RAJENDRA JOSHI, Dy. Director

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW****PRESENT:** Rakesh Kumar, Presiding Officer**Misc No. 18/2005**

Sri Balram Singh Lodhi S/o Sri Ram Pal
R/o Village Raniapur, Post Awarawan Distt. Lucknow

Vs

1. **Dy. Director,**
Regional Research Institute of Unani Medicine
163-164, Terhi Pulia, Kursi Road
Sector, C, Jankipuram, Lucknow
2. **The Director**
Central Council for Research in Unani Medicine
61-65, Industrial Area, Opposite D Block
Janakpuri, New Delhi

ORDER

The petitioner Sri Balram Singh Lodhi has moved application under section 33 of the I.D. Act, mentioning therein that he alongwith some other workmen had raised the industrial dispute pertaining to their regularization before ALC (C), after failure of the conciliation matter was referred by the Govt. for adjudication which was sent to the Tribunal. It has been alleged in the petition that during the pendency of the proceeding before the ALC (C) the employer has stopped to take work from the applicant w.e.f. 25.7.2000 on the pretext of the shortage of fund, after interference by the ALC (C) the applicant alongwith other workmen were taken back in service, and since then they have been working with some notional break. Proceedings pending under the Minimum Wages Act. as case no. 231-234/2000 have also been mentioned in the petition.

2. The workman has alleged that during the pendency of the connected I.D. case, the management has stopped to take work from him w.e.f. 23.01.2004, it amounts to retrenchment the said retrenchment is illegal and void-ab-initio, protection of Section 25F of the I.D. Act, ought to have been given since the petitioner has worked for more than 6 years continuously without any break. Contravention of Section 33 of the I.D. Act. has also been stressed in the petition. With the aforesaid averments, request has been made to declare the termination of the service of the applicant w.e.f. 23.01.2004 as illegal and unjustified. Further prayer has been made for his reinstatement with full back wages etc. The petition is supported by an affidavit of the workman.

3. The management has filed objection M-11, with strong denial of the allegations made by the workman. It has been asserted by the opposite party that the ALC (C) has no jurisdiction and petitioner is speaking lie, and contrary version has been taken by the workmen, firstly he was claiming stoppage of work from 25.07.2004, some where it is 23.01.2004. The opposite party has further asserted that the application is misconceived and is liable to be dismissed.
4. Later on reply/rejoinder W-17 has been filed by the workmen with strong denial of the counter allegations leveled in the objection filed by the management, reiterating the pleas taken in the petition filed by him.
5. The workman has filed affidavit alongwith annexures. He has been cross examined on behalf of the management.
6. The management has filed affidavit of Smt. Rafat Mehmooda M-35, Dr. Idris Ahmed, M-39, Waseem Ahmed, M-51 and Dr. Mohd. Arshad, M-52.
7. With the consent of both the parties certified photo copies of cross examination of Dr. M.Arshad and Idris Ahmad have been filed in this case.
8. Perusal of the record reveals that the conduct of the management has been very careless and lethargic, and on several occasions matter was taken ex-parte but on the request of the opposite party, the ex-parte order was recalled. However, the cost imposed by the Court was not paid to the workman and the official of the management or the Learned AR of the management refrained themselves to appear and to participate in the proceeding of the case. Again several dates were fixed, so as to give more opportunity to the opposite party to participate in the process of dispensation of justice but the management and its officers have been very negligent, and the officials and the Learned AR abstained themselves for the reasons best known to them. Undoubtedly, proceedings can not be lingered on endlessly or perpetually without any cogent and genuine reason. Under these circumstances the arguments of the Learned AR of the workman were heard at length and record has been scanned thoroughly.
9. The main allegations of the workman is that during the pendency of the connected I.D. 110/02 which has arisen with reference to the Schedule dated 25.06.2002 referred by the Govt. of India to this Tribunal for adjudication, the opposite party has with malafide intention stopped to take work from the petitioner workman w.e.f. 23.01.2004, the so called contradiction in the petition regarding the date of stoppage of work has been duly explained by the workman. The petitioner has elaborated that on intervention made by the ALC (C) the workman alongwith other colleagues was taken back in service and later on he was retrenched from 23.01.2004, as a consequence of stoppage of work.
10. The management witness Dr. M. Idris in his cross examination (recorded in I.D. 110/02 has admitted that he had not perused any record pertaining to the workman/labourer). However, he has given name of 5 persons working in the Herb Garden w.e.f. 2007 to 2015. Other management witness Sri Idris Ahmad in his cross examination (recorded in I.D. 110/02) has admitted in para 7 that the concerned petitioners have worked in the department as daily wagers and relevant muster roll should have been there in the concerned department.
11. The management has failed to corroborate its version that the petitioner had not worked beyond 12.07.2000. Learned AR for the workman has emphatically asserted that the petitioner has continued to work till 22.01.2004.
12. Another material fact has been brought to the notice of the Court. The case no. MW 231 to 234 of 2000, under the Minimum Wages Act. was adjudicated in favour of the workman vide order dated 06.07.2005 wherein the management has directed to ensure the payment of the compensation etc. to the applicants and other workmen in the respective cases. Any evidence by the opposite party to contradict this judgment has not been filed. The management did not produce the muster roll and the attendance register before the Competent Authority.
13. After having heard the learned AR for the workman and perusal of the record available before the Court, it is inferred that the alleged termination of service of the applicant w.e.f. 23.01.2004 during the pendency of the connected I.D. 110/02, can not be adjudged as legal or justified. **Provisions of Section 33 A of the I.D. Act. are mandatory in nature and it has to be followed in letter and spirit. The aforesaid termination is set aside, and petitioner is entitled for his reinstatement alongwith full back wages.**

The arrear due, shall be paid by the management within 10 weeks, from the date of notification of the Award, failing which the petitioner will also be entitled to get interest @ 6% per annum. Petition dated 06.04.2005 is disposed accordingly.

14. Award as above

RAKESH KUMAR, Presiding Officer

Lucknow
01.05.2018

नई दिल्ली, 21 मई, 2018

का.आ. 833.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, उप निदेशक, यूनानी चिकित्सा, क्षेत्रीय अनुसंधान संस्थान, लखनऊ और अन्य एवं उनके कर्मचारी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, लखनऊ के पंचाट (संदर्भ संख्या 06/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 09.05.2018 को प्राप्त हुआ था।

[सं. एल-42025/03/2018-आईआर (डी.यू.)]

राजेन्द्र जोशी, उप निदेशक

New Delhi, the 21st May, 2018

S.O. 833.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Misc. No. 06/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the industrial dispute between the employers in relation to the Dy. Director, Regional Research Institute of Unani Medicine, Lucknow & other and their workmen, which was received by the Central Government on 09.05.2018.

[No. L-42025/03/2018-IR (DU)]

RAJENDRA JOSHI, Dy. Director

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT: Rakesh Kumar, Presiding Officer

Misc No. 6/2005

**Sri Om Prakash Verma
S/o Sri Chhotey Lal
R/o Village Quila Mohammadi Nagar
Post: Bhadurkh, Distt. Lucknow**

Vs

- 1. Dy. Director,
Regional Research Institute of Unani Medicine
163-164, Terhi Pulia, Kursi Road
Sector, C, Jankipuram, Lucknow**
- 2. The Director
Central Council for Research in Unani Medicine
61-65, Industrial Area, Opposite D Block
Janakpuri, New Delhi**

ORDER

The petitioner Sri O.P. Verma has moved application under section 33 of the I.D. Act, mentioning therein that he alongwith some other workmen had raised the industrial dispute pertaining to their regularization before ALC (C), after failure of the conciliation matter was referred by the Govt. for adjudication which was sent to the Tribunal. It has been alleged in the petition that during the pendency of the proceeding before the ALC(C) the employer has stopped to take work from the applicant w.e.f. 25.7.2000 on the pretext of the shortage of fund, after interference by the ALC (C) the applicant alongwith other workmen were taken back in service, and since then they have been working with some notional break. Proceedings pending under the Minimum Wages Act. as case no. 231-234/2000 have also been mentioned in the petition.

2. The workman has alleged that during the pendency of the connected I.D. case, the management has stopped to take work from him w.e.f. 23.01.2004, it amounts to retrenchment the said retrenchment is illegal and void-ab-initio, protection of Section 25F of the I.D. Act, ought to have been given since the petitioner has worked for more than 6 years continuously without any break. Contravention of Section 33 of the I.D. Act. has also been stressed in the petition. With the aforesaid averments, request has been made to declare the termination of the service of the applicant w.e.f. 23.01.2004 as illegal and unjustified. Further prayer has been made for his reinstatement with full back wages etc. The petition is supported by an affidavit of the workman.
3. The management has filed objection M-8, with strong denial of the allegations made by the workman. It has been asserted by the opposite party that the ALC (C) has no jurisdiction and petitioner is speaking lie, and contrary version has been taken by the workmen, firstly he was claiming stoppage of work from 25.07.2004, some where it is 23.01.2004. The opposite party has further asserted that the application is misconceived and is liable to be dismissed.
4. Later on reply/rejoinder W-12 has been filed by the workmen with strong denial of the counter allegations leveled in the objection filed by the management, reiterating the pleas taken in the petition filed by him.
5. The workman has filed affidavit alongwith annexures. He has been cross examined on behalf of the management.
6. The management has filed affidavit of Smt. Rafat Mehmooda M-25, Dr. Idris Ahmed, M-29, Waseem Ahmed, M-40 and Dr. Mohd. Arshad, M-41.
7. With the consent of both the parties certified photo copies of cross examination of Dr. M.Arshad and Idris Ahmad have been filed in this case.
8. Perusal of the record reveals that the conduct of the management has been very careless and lethargic, and on several occasions matter was taken ex-parte but on the request of the opposite party, the ex-parte order was recalled. However, the cost imposed by the Court was not paid to the workman and the official of the management or the Learned AR of the management refrained themselves to appear and to participate in the proceeding of the case. Again several dates were fixed, so as to give more opportunity to the opposite party to participate in the process of dispensation of justice but the management and its officers have been very negligent, and the officials and the Learned AR abstained themselves for the reasons best known to them. Undoubtedly, proceedings can not be lingered on endlessly or perpetually without any cogent and genuine reason. Under these circumstances the arguments of the Learned AR of the workman were heard at length and record has been scanned thoroughly.
9. The main allegations of the workman is that during the pendency of the connected I.D. 110/02 which has arisen with reference to the Schedule dated 25.06.2002 referred by the Govt. of India to this Tribunal for adjudication, the opposite party has with malafide intention stopped to take work from the petitioner workman w.e.f. 23.01.2004, the so called contradiction in the petition regarding the date of stoppage of work has been duly explained by the workman. The petitioner has elaborated that on intervention made by the ALC (C) the workman alongwith other colleagues was taken back in service and later on he was retrenched from 23.01.2004, as a consequence of stoppage of work.
10. The management witness Dr. M.Idris in his cross examination (recorded in I.D. 110/02 has admitted that he had not perused any record pertaining to the workman/labourer). However, he has given name of 5 persons working in the Herb Garden w.e.f. 2007 to 2015. Other management witness Sri Idris Ahmad in his cross examination (recorded in I.D. 110/02) has admitted in para 7 that the concerned petitioners have worked in the department as daily wagers and relevant muster roll should have been there in the concerned department.
11. The management has failed to corroborate its version that the petitioner had not worked beyond 12.07.2000. Learned AR for the workman has emphatically asserted that the petitioner has continued to work till 22.01.2004.
12. Another material fact has been brought to the notice of the Court. The case no. MW 231 to 234 of 2000, under the Minimum Wages Act. was adjudicated in favour of the workman vide order dated 06.07.2005 wherein the management has directed to ensure the payment of the compensation etc. to the applicants and other workmen in the respective cases. Any evidence by the opposite party to contradict this judgment has not been filed. The management did not produce the muster roll and the attendance register before the Competent Authority.

13. After having heard the learned AR for the workman and perusal of the record available before the Court, it is inferred that the alleged termination of service of the applicant w.e.f. 23.01.2004 during the pendency of the connected I.D. 110/02, can not be adjudged as legal or justified. **Provisions of Section 33 A of the I.D. Act. are mandatory in nature and it has to be followed in letter and spirit. The aforesaid termination is set aside, and petitioner is entitled for his reinstatement alongwith full back wages. The arrear due, shall be paid by the management within 10 weeks, from the date of notification of the Award, failing which the petitioner will also be entitled to get interest @ 6% per annum. Petition dated 06.04.2005 is disposed accordingly.**

14. Award as above.

RAKESH KUMAR, Presiding Officer

Lucknow,
01.05.2018

नई दिल्ली, 21 मई, 2018

का.आ. 834.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, फ्लैट अधिकारी, कमांडिंग इन चीफ, वेस्टर्न नेवल, मुंबई एवं उनके कर्मचारी और अन्य के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, न. II, मुंबई पंचाट (संदर्भ संख्या CGIT-2/16 of 2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18.04.2018 को प्राप्त हुआ था।

[सं. एल-14011/11/2012-आईआर (डीयू)]

राजेन्द्र जोशी, उप निदेशक

New Delhi, the 21st May, 2018

S.O. 834.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (CGIT-2/16 of 2013) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Mumbai as shown in the Annexure, in the industrial dispute between the employers in relation to the Flat Officer, Commanding in Chief, Western Naval, Mumbai and their workmen & Others, which was received by the Central Government on 18.04.2018.

[No. L-14011/11/2012-IR (DU)]

RAJENDRA JOSHI, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.2, MUMBAI

PRESENT: M. V. Deshpande, Presiding Officer

REFERENCE NO. CGIT-2/16 of 2013

EMPLOYERS IN RELATION TO THE MANAGEMENT OF COMMANDING IN CHIEF, WESTERN NAVAL COMMAND

The Flat Officer,
Commanding in Chief, Western Naval
Command, Shahid Bhagat Singh Road,
Fort, Mumbai – 400 023.

AND

THEIR WORKMEN.

The General Secretary,
Indian Naval Emp. Union,
12/14, Rajgir Chambers, R. No. 60,
7th Fl., Shahid Bhagat Singh Road,
Opp. Old Custom House, Mumbai – 400 023.

APPEARANCES:

FOR THE EMPLOYER : Mr. N. J. Gonsalves, Advocate

FOR THE WORKMEN : Mr. J. H. Sawant, Advocate

Mumbai, dated the 12th March, 2018

AWARD

1. This is reference made by the Central Government in exercise of powers under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 vide Government of India, Ministry of Labour & Employment, New Delhi vide its order No. L-14011/11/2012 – IR (DU) dated 07.03.2013. The terms of reference given in the schedule are as follows :

“Whether the action of the management of the Flat Officer, Commanding in Chief Western Naval Command, Mumbai in denying the promotion to Shri H. G. Gund, Skilled Tradesman to Highly Skilled Tradesman in the year 2004-05 is legal, just and proper ? If not, what relief the workman concerned is entitled to?”

2. After the receipt of the reference, both the parties were served with the notices. They appeared through their respective representatives.

3. Second party filed statement of claim Ex.7. According to the second party, the concerned workman was Skilled Tradesman working in the establishment of first party in its Naval Transport Pool. On the basis of seniority as well as suitability he was eligible for consideration and grant of promotion to the grade of Highly Skilled Tradesman against the vacancy that arose on and from 21.7.04. However, the first party instead of granting him said promotion to the grade of Highly Skilled Tradesman against the said vacancy, granted promotion to Shri N.C. Panchal, Skilled Tradesman to the grade of Highly Skilled Tradesman despite of the fact that Shri Panchal was junior in service to the concerned workman and the concerned workman was found fit for the said promotion in the year 1993 itself.

4. It is also the contention of the second party that the concerned workman was informed that his claim for promotion in the grade of Highly Skilled Tradesman on or from 21.7.04 was not considered by the Departmental Promotion Committee [DPC] in view of low assessment in accordance with para 6 of DPC instructions read with DoPT's office Memorandum dt. 28.3.06.

5. According to the concerned workman it was obligatory on the part of first party to inform the second party periodically of low marks or any adverse remarks in the ACR in order to give second party an opportunity to make necessary improvement in his work so that he should not be condemned unheard and deprived of the promotion. The first party never informed to the second party of any deficiencies in the work and therefore the adverse remarks noted in his ACR cannot be used against him to deprive him from the promotion in the grade of Highly Skilled Tradesman. Second party workman is therefore entitled to be promoted and placed in the grade of Highly Skilled Tradesman w.e.f. 21.7.04 with all consequential benefits with retrospective effect. Second party workman is therefore asking to declare that the action of the first party in denying promotion to him in the grade of Highly Skilled Tradesman w.e.f. 21.7.04 is illegal, unjust and improper.

6. First party management resisted claim by filing written statement Ex.8 contending therein that the concerned workman was not promoted to the grade of Highly Skilled Tradesman due to his low merit during the period from 1.4.96 to 31.3.02 due to assessment of individual below the bench mark in ACRs or DPCs for the year 1996-97 to 2002-03, concerned workman Shri H.G. Gund was not considered for promotion to the grade of Highly Skilled Tradesman.

7. It is then contended that para 6 of DPC instructions read with DoPT order dt. 10.4.89 a person whose assessment is below bench mark of “good” cannot be included in the select list. Shri Panchal was promoted instead of concerned workman whose merit rating was considered undistinguished on that occasion.

8. It is then contended that overall grading given in ACR were not communicated because as per existing instructions at the time of promotion of shri Panchal the overall grading recorded in ACR has not to be changed in any way even after the expunction of adverse remark either fully or partially by the competent authority. Hence action of management is in conformity and in accordance with the then in vogue DoPT instructions contained in office memorandum dt. 10.4.89. The first party management thus prayed for rejection of reference.

9. Following issues are framed at Ex.9. I reproduce the issues along with my findings thereon for the reasons to follow:

Sr. No.	Issues	Findings
1	Whether the action of the management in denying the promotion to the Workman Shri H.G. Gund, Skilled Tradesman to Highly Skilled Tradesman w.e.f. 21.7.04 is legal, just and proper ?	No
2.	What relief the workmen are entitled to ?	As per final order
3.	What order ?	As per final order

Reasons**Issue No.1.**

10. It seems to be admitted position that the second party workman was not promoted to the grade of Highly Skilled Tradesman on the basis of assessment of individual ACRs for DPC years 1996-97, 97-98, 98-99, 2001-02. It also seems to be admitted position that as per DPC instructions read with DoPT office memorandum No. F22011/5/86-Estt. (D) dated 10.4.89, a person whose assessment is below mark of "good" cannot be included in the select list. It also seems to be an admitted position that on complaint by the concerned workman he was informed that his claim for promotion in the grade of Highly Skilled Tradesman on and from 27.4.04 was not considered by the DPC in view of low assessment in accordance with para 6 of DPC instructions read with DoPT office memorandum dt. 28.3.06. Therefore the question is whether there was any written communication to the concerned workman regarding grading of the concerned workman as average or otherwise as regards to his performance.

11. I say so because such communication is necessary in order to have an opportunity to the concerned workman to improve his performance. Even as per office memorandum dt. 28.3.06 it was obligatory on the part of first party to inform the second party periodically of low marks or any adverse remarks in his ACR in order to give the second party workman an opportunity to make necessary improvement in his work so that he should not be condemned unheard and deprived of the promotion to any higher grade.

12. For it is explicit from the glaring admission given by Vijendra Singh, the witness of the first party that there was no written communication to the second party workman regarding the grading of the second party as average or otherwise in respect of his performance. He admits that there was no communication to the second party regarding grading given to him in his ACR. If that is so then it can be said that no opportunity was given to the second party before denying promotion to him and denying such promotion without giving any opportunity is like a punishment for misconduct which cannot be imposed without following procedure and also following principles of natural justice.

13. Learned Counsel for the concerned workman submitted that if the rating of the concerned was below average then it was incumbent upon the management to communicate that assessment of his work to the concerned workman. Since that was not done then it can be said that no opportunity was given to the concerned workman to submit the representation against the said remark / entries in respect of the marks given. In the context he seeks to rely on the decision in case of Dev Dutt V/S. Union of India & Ors. AIR 2008 (SC 2513) wherein the Hon'ble Supreme Court has concluded that every entry in ACR of the public servant must be communicated to him within the reasonable period whether it is poor, fair, average, good or very good. The Hon'ble Apex Court has observed in para 17 & 18 of the judgment that,

"In our opinion, every entry in the A.C.R. of a public servant must be communicated to him within a reasonable period, whether it is a poor, fair, average, good or very good entry. This is because non-communication of such an entry may adversely affect the employee in two ways : (1) Had the entry been communicated to him he would know about the assessment of his work and conduct by his superiors, which would enable him to improve his work in future (2) He would have an opportunity of making a representation against the entry if he feels it is unjustified, and pray for its upgradation. Hence non-communication of an entry is arbitrary, and it has been held by the Constitution Bench decision of this Court in Maneka Gandhi vs. Union of India (supra) that arbitrariness violates Article 14 of the Constitution.

Thus it is not only when there is a benchmark but in all cases that an entry (whether it is poor, fair, average, good or very food) must be communicated to a public servant, otherwise there is violation of the principle of fairness, which is the soul of natural justice. Even an outstanding entry should be communicated since that would boost the morale of the employee and make him work harder."

14. Learned Counsel for the concerned workman has also relied on the decision in case of Sukhdev Singh V/S. Union of India in Civil Appeal No. 5892/2006 wherein the Hon'ble Apex Court while referring to the decision in case of Dev Dutt V/S. Union of India & Ors. has concluded that every entry in ACR of public servant must be communicated to him / her within the reasonable period. The Hon'ble Apex Court thus observed that even in cases there is no bench mark laid down by the authorities for promotion, non-communication of entries in the ACR of the public servant is arbitrary because it deprive the concerned employee on making representation against it and praying for its upgradation. Every entry in the ACR of every employee under the State whether he is civil, judicial, police or other service (except Military) must be communicated to him so as to enable him to make the representation against it because non communication deprive the employee of the opportunity of making representation against it which may affect his chance of being promoted. Hence the non-communication is arbitrary and violative of article 14 of the Constitution.

15. In view of this legal position it was necessary for the first party management to communicate the assessment of the concerned workman to him before denying promotion when as a matter of fact he was not considered for

promotion on the ground that assessment of the concerned workman was below bench mark in ACRs for DPC years 1996-97 to 2002-03. It will have to be said therefore that he was not given an opportunity to make representation in respect of assessment of his work. In view of that action of denying promotion to him is illegal.

16. In view of that it will be open to the concerned workman to make representation to the first party management for retrospective promotion in view of legal position cited supra. If such representation is made by the concerned workman, the same shall be considered by the first party appropriately in accordance with law. If the upgradation is allowed from 21.7.04, the first party should consider forthwith for his promotion as Highly Skilled Tradesman from 21.7.04 retrospectively. If he is promoted from 21.7.04 then he will be entitled to get the benefit of balance of arrears of pay along with 8% per annum interest and other consequential benefits. Issue No.1 is therefore answered accordingly as indicated against it.

Issue No.2 & 3.

17. In view of my findings to Issue No.1, I find that the concerned workman is entitled to relief to some extent as per final order. Thus the order.

ORDER

1. It is declared that the action of first party in denying promotion to the concerned workman Shri H.G. Gund from Skilled Tradesman to Highly Skilled Tradesman w.e.f. 21.7.04 is unjustified and improper.

2. It is open to the concerned workman to make representation to the concerned authorities for retrospective promotion and if such representation is made by him, the same shall be considered by the concerned authorities appropriately in accordance with law.

3. If the representation is allowed the concerned workman should be considered forthwith for promotion retrospectively w.e.f. 21.7.04 and if he is promoted, he will get the balance of arrears of pay along with 8% per annum interest and other consequential benefits from 21.7.04.

M.V. DESHPANDE, Presiding Officer

Dated
12.3.2018

नई दिल्ली, 21 मई, 2018

का.आ. 835.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, अध्यक्ष-सह-प्रबंध निदेशक, ई.सी.जी.सी. लिमिटेड, मुंबई एवं उनके कर्मचारी और अन्य के प्रबंधन के संबंध निर्यातकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, न. II, मुंबई पंचाट (संदर्भ संख्या CGIT-2/10 of 2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 18.04.2018 को प्राप्त हुआ था।

[सं. एल-42011/197/2011-आईआर (डीयू)]

राजेन्द्र जोशी, उप निदेशक

New Delhi, the 21st May, 2018

S.O. 835.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (CGIT-2/10 of 2012) of the Central Government Industrial Tribunal-cum-Labour Court No. II, Mumbai as shown in the Annexure, in the industrial dispute between the employers in relation to the Chairman-cum-Managing Director, E.C.G.C. Ltd., Mumbai and their workmen & others, which was received by the Central Government on 18.04.2018.

[No. L-42011/197/2011-IR (DU)]

RAJENDRA JOSHI, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.2, MUMBAI

PRESENT: M. V. Deshpande, Presiding Officer

REFERENCE NO.CGIT-2/10 of 2012

**EMPLOYERS IN RELATION TO THE MANAGEMENT OF
E. C. G. C. LTD.**

The Chairman-cum-Managing Director,
E. C. G. C. Ltd.,
Express Towers, 10th Fl.,
Jamuna Lal Bajaj Marg, Nariman Point,
Mumbai – 400 021.

AND

THEIR WORKMEN.

The General Secretary,
Mumbai Port Trust General Workers Union,
1st Floor, Kavarana Building,
26/4, P. D. Mello Road, Wadi Bunder, Mumbai.

APPEARANCES:

FOR THE EMPLOYER : Mr. Anees Patel, Adv. i/b. Ambalal & Co.

FOR THE WORKMEN : Mr. V. Narayanan, Advocate

Mumbai, dated the 9th March, 2018.

AWARD

1. This is reference made by the Central Government in exercise of powers under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 vide Government of India, Ministry of Labour & Employment, New Delhi vide its order No. L-42011/197/2011 – IR (DU) dated 27.02.2012. The terms of reference given in the schedule are as follows :

“Whether the demand of Mumbai Port Trust Workers Union for regularization of the services of Shri Santosh B. Surve & 13 other drivers (as per list enclosed) in the establishment of Export Credit Guarantee Corporation of India Ltd., Mumbai is legal and justified ? What relief the workman is entitled to ?”

2. After the receipt of the reference, both the parties were served with the notices. They appeared through their respective representatives.

3. Second party union filed statement of claim Ex.5. According to the second party union, the concerned workmen are employed as drivers for Export Credit Guarantee Corporation of India Ltd. The activities of the first party company including among other things export oriented company charge free for various services rendered. The company's Board of Directors includes among others Joint Secretary, Ministry of Commerce as Chairman-cum-Managing Director, Joint Director, Ministry of Finance, Executive Director of R.B.I. and many others. The company is also controlled & supervised by the Govt. of India, Ministry of Commerce.

4. It is then case of the concerned workmen that they have been working for the company as their direct employees on casual basis without any break in service and with the hope that the company would consider their request for regularization. The workmen themselves and through various other unions made repeated attempts to get their services regularized. The workmen cause was agitated by MbPT General workers union. However, due to non-cooperative attitude of the management no settlement was possible and the matter ended in failure. RLC's office was pleased to send the failure report. The Ministry of Labour thereafter passed an order referring the above matter for adjudication to this tribunal.

5. It is thus contention of the concerned workmen that they were working as drivers for senior Executives of the Corporation on full time basis. The vehicles drivers used to drive are owned by the Corporation. The Petrol, maintenance etc. of these vehicles are spent from Corporation fund. When Executive is transferred from one branch to another and other Executive is replaced in that place, the same driver continues to work. These drivers are given proper I-cards by the Corporation. However, the drivers are not paid the salary at par with regular drivers working in the Corporation and other benefits & allowances including PF, gratuity, bonus, washing allowances etc. Even then during entire period of services of the concerned workmen with the Corporation, there is no complaint of their work, conduct, character etc. and no complaint of any sort was ever received by them from the Executives and their family members. They have thus worked for full satisfaction of the Corporation.

6. It is then case of the union that due to request for regularization and taking up the matter through RLC, through MbPT workers union, one of the workers Mr. Santosh Baburao Surve, who was working continuously for the Corporation as driver from 30.8.97 would abruptly & arbitrarily terminated on 30.4.11 from service without any reason

and without following any procedure. 7 other workmen were also regularized by the Corporation through back door entry.

7. According to the union, there exists regular work. There are many vacancies available for the post of drivers. Many recruitments were made. Many employees were regularized. The concerned workmen performed the same kind of work as the workmen directly employed by the principal employer. In view of that the concerned workmen are also eligible for regularization and to receive regular wages that of the regular drivers engaged by the management.

8. It is also the case of the concerned workmen that they are attending the perennial nature of work of the management against the vacant post of drivers for considerable period of time but Corporation refused to regularize these employees and refused to extend the benefits. The union is therefore asking for declaration to the effect that the action of the management in not regularizing or absorbing the services of the concerned workmen with effect from their joining services and discontinuation of service of driver Mr. Santosh Surve from 30.4.11 is illegal and unjustified. They are also asking for giving directions to the management to regularize / absorb them in the capacity of permanent drivers with effect from their joining the services of the management Corporation with all consequential benefits.

9. First party management resisted claim by filing written statement Ex.8 contending therein that there is no employer employee relationship between the Corporation and the concerned workmen. In the absence of master servant relationship between the company and the said drivers the question of regularization of the services of the concerned workmen as regular drivers does not arise.

10. It is the case of the management that as a part of service conditions the senior Executives and branch Managers are provided with only vehicles for their official as well as personal use. However, no drivers are provided to these senior Executives and branch Managers by the company as they are not entitled for the privilege under prevailing corporate policy. Senior Executives and branch Managers who have been allotted with the official vehicles are eligible to engage the services of the drivers on their own and claim permissible reimbursement subject to limitation stipulated in the company policy. The reimbursement are allotted on written declaration by the concerned officer confirming the amount of actual expenses not exceeding the limits incurred by him on account of engagement of the personal drivers. To engage a personal driver or not is at the sole discretion of the concerned executive. Personal drivers engaged by the senior Executives and branch Managers have no connection whatsoever with the company. There is no contract of service exists expressed or implied between the company and these drivers. The drivers are not working under the supervision & control of the company. The salary, allowances, working hours and other service conditions of the personal drivers are decided by the respective senior Executives and branch Managers and the company has no role to play in these matters. These drivers are not interviewed, recommended or appointed by the company. The company has neither obtained formal applications for jobs or recorded their personal information. As such there is no privity of the contract between the company and these drivers. These drivers are never been given any appointment letter by the company. As such drivers were never appointed as regular employees in accordance with recruitment policy or selection procedure of the public sector undertaking.

11. According to the management, company never issued any appointment letter to these drivers nor their names are entered in the muster roll of the company. No service conditions of the company are applicable to them. They are never been workmen of the company. As such there is no employer employee relationship between the concerned workmen and the first party company.

12. It is also case of the management that the other workmen whose services are regularized are the regular employees of the company and their services were regularized till 2009 in a phased manner purely in accordance with the procedure and policy of the company. So far concerned workmen, they cannot be equated to the regular employees of the company since the terms & conditions of the engagement of the said employees are totally different. In the absence of employer employee relationship there is no question of absorbing the concerned workmen in the services of the company. It has thus sought the dismissal of the reference.

13. Following issues are framed at Ex.9. I reproduce the issues along with my findings thereon for the reasons to follow:

Sr. No.	Issues	Findings
1	Whether the demand of second party for regularization of the services of Shri Santosh B. Surve and 13 other Drivers is legal and proper ?	No
2.	Whether the workmen under reference are entitled to be absorbed in the service ?	No
3.	What relief the workmen are entitled to ?	No
4.	What order ?	As per final order

Reasons

Issue No.1 & 2.

14. It is well settled principle of law that the person who sets up a plea of existence of relationship of employer and employee the burden would be upon him. The burden of proof being the workmen to establish employer employee relationship is on the workmen and therefore no adverse inference can be drawn against the employer that if he would have produced the documents then the documents would have been proved employer employee relation. As per settled position where the person asserts that he was the workmen of the company and it is denied by the company, it is for the concerned workmen to prove the fact. It is not for the company to prove that he was not an employee of the company but of some other person. The question whether relation between the parties is one of the employer & employee is a pure question of fact. This is precisely the question of fact which has to be considered while deciding this issue on the basis of evidence of the parties concerned.

15. So far contentions go, it is the contention of the concerned workmen that they were working as drivers for the senior Executives of the Corporation on full time basis. It is their contention that they are the direct employees of the Corporation since the vehicle drivers used to drive are owned by the Corporation and petrol, maintenance etc. of these vehicles are spent from the Corporation fund and even after the Executive is transferred the same driver continues to work.

16. As against this, it is the contention of the first party that the senior Executives and branch Managers have been allotted with the official vehicles. They are eligible to engage the services of the drivers on their own and claim permissible reimbursement. In view of this even it is admitted that the vehicles, drivers used to drive own by the Corporation, the concerned drivers cannot claim their direct relationship as employer employee with the Corporation. It is because it is not unusual for public sector undertaking to give allowances to its highly level officers leaving to them to engage the services of the drivers or others for fulfilling the needs for which the allowances are meant. There is nothing on record to make out the nexus between the Corporation and the concerned drivers. There is nothing on record to indicate that control & directions of the drivers vested in the Corporation. In the absence of material to make out that the concerned drivers were employed by the Corporation & was under its directions and control, were paid the salary by the Corporation or otherwise were included in the army of employees of Corporation. It cannot be assumed that there exists employer employee relationship between the Corporation and the concerned employees.

17. On going through the record, it is clear that the concerned workmen have not adduced evidence nor filed documents on record to prove their claim. Union remained absent and therefore in the absence of union, evidence of the concerned workmen it will have to be said that the concerned workmen have not established that they are direct employees of the company having controlled by the company and were paid by the company itself.

18. Learned Counsel for the first party company pointed out that the contractor had agreed to provide car drivers to the first party company in return for a fixed consideration. 7 of the drivers continued to be engaged as drivers of the first party officials through the contractor and rest 7 drivers had already left the job. That would again show that the concerned workmen were the employees of the contractor and as such there was no master servant relationship between the first party company and the concerned drivers.

19. Even then the concerned drivers have come out a case that 7 workmen were regularized through back door entry by the management and this fact was brought to the notice before the ALC [C]. Contention is also to the fact that many other vacancies are available for the post of drivers. Many recruitments are made, many employees are regularized and in the circumstances it was for the Corporation to consider the services of the concerned workmen who performed the same kind of work as the workmen, who are directly employed by the principal employer.

20. Again the same finding holds good to consider that there is no iota of evidence or material on record to show that there exists vacancies which were filled by the Corporation and as such there was discrimination while making the appointments of the permanent drivers. In the absence of evidence, all these contentions of the concerned workmen shall fall out.

21. For want of evidence it will have to be said that the concerned workmen are not entitled for regularization of the services. Their demand is not legal & proper. They are not entitled to be absorbed in service as they have not established employer employee relationship in between them and the Corporation, the first party No.1. The above issues are therefore answered accordingly as indicated against each of them in terms of above observations.

Issue No.3 & 4.

22. In view of my findings to the issues, the workmen are not entitled to any relief. Hence the order.

ORDER

Reference is rejected with no order as to costs.

M.V. DESHPANDE, Presiding Officer

Dated,
09.3.2018.

नई दिल्ली, 21 मई, 2018

का.आ. 836.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, डाकघर के अधीक्षक, डाक विभाग, सुरेंद्रनगर (गुजरात) एवं उनके कर्मचारी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद पंचाट (संदर्भ संख्या सीजीआईटीए-37/2013) को प्रकाशित करती है, जो केन्द्रीय सरकार को 23.04.2018 को प्राप्त हुआ था।

[सं. एल-40011/24/2012-आईआर (डी.यू.)]

राजेन्द्र जोशी, उप निदेशक

New Delhi, the 21st May, 2018

S.O. 836.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. CGITA-37/2013) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad, as shown in the Annexure, in the industrial dispute between the employers in relation to the Superintendent of Post Offices, Department of Posts, Surendranagar (Gujarat) and their workman, which was received by the Central Government on 23.04.2018.

[No. L-40011/24/2012-IR (DU)]

RAJENDRA JOSHI, Dy. Director

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD**

Present: Pramod Kumar Chaturvedi,
Presiding Officer, CGIT-cum-Labour Court,
Ahmedabad, Dated 03rd April, 2018

Reference: (CGITA) No- 37/2013

The Supdt. Of Post Offices,
Department of Posts,
Surendranagar Division,
Near Tower, 2nd Floor,
Surendranagar (Gujarat) – 363001

...First Party/Opponent

V/s

The President,
Association of Railway and Post Employees,
15, Shashi Apartments,
Bhatta Cross Road, Vasna,
Ahmedabad (Gujarat) – 380007

...Second Party/Applicant

For the First Party No : Shri P.M. Rami
For the Second Party : Shri R.C. Pathak

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-40011/24/2012-IR(DU) dated 25.02.2013 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the management of Superintendent of Post Offices, Surendranagar Division, Surendranagar in withdrawing temporary status given to Shri Manubhai V. Rajgor w.e.f. 13.01.2011 is justified? If not, what benefit Shri M.V. Rajgor is entitled on the basis of his services given to the management?”

1. The reference dates back to 25.02.2013. The applicant/workman submitted the statement of claim Ex. 5 alleging that the applicant/workman was engaged as casual labour by the opposite party Superintendent of Post Offices, Surendranagar Division, Surendranagar, since 01.09.1985 and he has been performing his duties for 8 hours a day continuously with satisfaction to the opposite party with artificial rates to deprive him from his legal rights in the service. The opposite party issued him an appointment letter to be appointed as EDA and reduced his salary for 4 hours a day despite the fact that he was performing his duties for 8½ hours a day. He has been continuously making request to be given the benefits of Group D, TS etc. The opposite party forcibly took an undertaking which is nullity while granting the benefits of Group D vide office order dated 03/04.12.2009 and he was permitted to join the duty as Group D at Limbdi w.e.f. 10.12.2009. He has further alleged that the opposite party withdrew his benefits of Group D and his salary was reduced from Rs. 8323/- to Rs. 6344/- vide order dated 15.01.2011. The applicant/workman made the representation on 30.08.2011 and 01.06.2012 but to not result. Thus he has prayed for setting aside the order dated 13(15).01.2011 and has prayed for grant of temporary status to the workman.
2. The opposite party submitted the written statement Ex. 6 denying the allegations made in the statement of claim submitting that it is incorrect to say that he had been working 8 hours a day from 01.09.1985 to 15.12.1988. The submission of the applicant/workman is not correct and true. His submission regarding engagement 8 hours daily from 01.09.1985 to 15.12.1988 is also not correct. As no recruitment/procedure was observed while engaging the applicant. He was engaged in piecemeal basis against leave/vacancy of Group D cadre and was engaged as outsider on rate applicable to casual labour as per the prevailing arrangement to manage the work through short term leave/absentee's arrangement of the regular Group D employee of Sudamada SO. The opposite party further alleged that the submission of workman/applicant regarding artificial break and appointment order as EDA and for reduced salary for 4 hours daily and as paying salary for 4 hours only by the management and reported technique for depriving the right of the workman/applicant etc. are not correct and true. The truth is that the workman was engaged as outsider/casual labour at Sudamada SO vice Group D in short term leave/absentee during the year 1988. The post of GDS/MD-MC was created w.e.f. 31.03.1989 at Ninama BO (under Sudamada SO). The local notification was issued by SDI(P) Limbdi to fill up the post and copy of the same were given to all concerned i.e. Employment Exchange, Surendranagar, Sarpanch, Talati cum Mantri, Head Master Primary School Ninama College etc. M.V. Rajgor applied for the same and was selected for the post by the then SDI(P) and appointed at Limbdi vide Memo No. PF/EDCA/DA/Ninama dated 03.07.1990. M.V. Rajgor is still working as GDS/MD-MC Ninama BO. Thus, contention of the applicant is not correct that his duty hours were reduced from 8 hours to 4 hours by the management. The opposite party further alleged that it is also not correct and true that he was performing duty of 8 hours, prior to appointment in GDS/MD-MC Ninama BO w.e.f. 31.03.1989. In fact, in connection with to grant of temporary status in Group D cadre vide application dated 21.11.2008 of the applicant was forwarded to PMG Rajkot and as per PMG Rajkot letter No. R&E/2/MDC/2008 dated 28.04.2008/01.12.2008; it was directed to decide the case at Divisional level being a Group D cadre case. The case was again refer to RO Rajkot vide No. B2/Reptn/Misc/08 dated 08.02.2009 and the case again returned vide dated R&E/2/MDC/2008 directing to decide the case at Divisional level. Therefore, the case was decided by the then Superintendent of Post Offices, Surendranagar and granted temporary status in Group D cadre to the applicant vide No. B2/Casual Labour/Ty. Status/9-10 dated 03.04.2009. Therefore, it was asked to RO Rajkot vide letter no. STA-2/Rig-20/Corr/2009 dated 09.04.2009 to intimate the reason for granting temporary status, followed by reminder dated 13.10.2010. A detailed report was submitted to the PMG Rajkot vide no. B2/Casual Labour/Ty. Status/9-10 dated 23.10.2010. It was directed vide RO Rajkot letter no. STA-2/Rlg/20/Corr/2010 dated 11.01.2011 to cancel the orders of granting temporary status of M.V. Rajgor and to restore the status quo. Therefore, the order of granted temporary status to Group D cadre dated 03.04.2009 was cancelled vide no. B2/Cancel Labour/Ty. Status/09-10 dated 12.01.2011 and relieved the application for his post w.e.f. 15.01.2011. That temporary status was granted by the then SPOs Surendranagar in accordance with The

Directorate, New Delhi letter no. 45-95/8-SPB-1 dated 12.04.1991, further circulated under RO Rajkot Memo NO. STA-2/PDR/Rlg-20/90 dated 30.04.1991. The applicant/workman never recruited in Group D cadre, after observing due formalities under departmental rules and regulation for regular vacancy of Group D cadre, he was engaged to manage the work for short term against leave/absentee of Group D, with clear instruction that, there will be no claim for regular appointment/absorption in the Group D cadre. The allegation regarding reduction of pay from Rs. 8323/- to Rs. 6344/- is also hereby denied and far from the truth. The applicant engagement in GDS/MD-MC Ninama BO (under Sudamada SO) after observing due formalities of recruitment in GDS cadre as per notification. M.V. Rajgor was applied for that post and was selected in GDS/MD-MC at Ninama PO. There is no relevancy of prior engagement in Group D in short term engagement at Sudamada SO with appointment as GDS/MD-MC Ninama BO in this case. Also the nature of work of casual labour, Group D and GDS MD Ninama BO is quite different and hence allegations of the workman are quite misleading one. The demand of the applicant for absorption in Group D cadre or to grant the temporary status in Group D cadre has no merit. The applicant belongs to the GDS category and appointed as GDS/MD Ninama BO (Sudamada SO) since 31.03.1989. His representation to grant of temporary status has also no merit as per the instruction of the Directorates Memo No. 45-95/8-PSB-1 dated 12.04.1991 is applicable to casual labour only not to GDS category. There are certain rules and regulations for recruitment of Group D cadre. The applicant was not fulfilled the required qualification/eligibility for the Group D cadre and therefore, his case is not admissible. The temporary status granted vide Office Memo No. B2/Casual Labour/Ty. Status/10-11 dated 03.05.2009 was cancelled vide letter No. even dated 12.01.2011 in accordance with PMG Rajkot Memo No. STA-2/Rlg-20/Corr./2010 dated 11.11.2011. The representation dated 31.01.2011 against the order of termination of temporary status to the DPS Rajkot was rejected as he was not in employment as casual labour on 29.11.1989. Therefore, the applicant has represented to the PMG Rajkot vide his application dated 17.05.2011 and same was rejected by PMG, Rajkot vide Memo No. STA-02/Rlg-20/Corr/2011 dated 01.08.2011 that "The action of SPO Surendranagar to confer temporary status to Rajgor was not in order, as he was not working as casual labour on 29.11.1989". The request application dated 30.08.2011 addressed to the CPMG, Ahmedabad was not decided due to pending application with ALC, Gandhidham in accordance with C.O. Memo No. STA/44-29/R/Corr/2012 dated 27.08.2012 and now pending with CGIT, Ahmedabad. The opponent office is the office of the post department and as such it is not covered under the provisions of the Industrial Disputes Act, 1947.

3. On the basis of the pleadings, the following issues arise:

- I. Whether the action of the management of Superintendent of Post Offices, Surendranagar Division, Surendranagar in withdrawing temporary status given to Manubhai V. Rajgor w.e.f. 13.01.2011 is justified?
- II. To what benefit, if any, M.V. Rajgor is entitled on the basis of his services given to the management?

4. Both these issues are interrelated and are decided together.

5. **Issue No. I and II:** The burden of proof of these issues was lying on the workman who submitted his affidavit Ex. 8 wherein he has reiterated the averments made in the statement of claim and has not said anything contrary in his cross-examination. The opposite party filed the affidavit Ex. 9 of his witness Dilip Kumar Mohan Lal Bhavsar who has also reiterated the averments made in the written statement Ex. 6 but in his cross-examination, he has stated that temporary status was granted by one Atul Kumar Tiwari, the then Superintendent of Post Office, Surendranagar without following the due procedure. The department after deducting this irregularity did not take any action against Atul Kumar Tiwari. N.B. Kundari withdrew the temporary status of this workman as no Departmental Promotion Committee was formed and there was not such recommendation in the case of workman. It is true that no show-cause notice was given to the workman. This workman moved a representation against demotion and withdrawal of temporary status which was replaced before Reconciliation Officer. After withdrawal of temporary status on 11.01.2011, Departmental Promotion Committee was held but he stated that he doesn't remember the date of Departmental Promotion Committee. This workman was considered in the next Departmental Promotion Committee as the workman attained the age of 50 years but he doesn't know the date of birth of this workman. Thus the cross-examination reveals that the opposite party has failed to explain as to why this applicant/workman was not considered in the next Departmental Promotion Committee and secondly, as to what action was taken against the then errant Superintendent of Post Office who granted the temporary status to the applicant without following the due procedure. The witness has also failed to explain as to what action was taken on the representation made by the applicant/workman after withdrawal of the temporary status. Thus the cross-examination of the witness

does not justify the withdrawal of the temporary status of the applicant/workman. Thus in the light of the aforesaid evidence, I come to the conclusion that the withdrawal of temporary status of applicant/workman Manubhai V. Rajgor was not justified and liable to be quashed and set aside. Thus the Issue No. I is decided in negative and against the opposite party.

6. On the basis of the aforesaid findings, the order dated 13.01.2011 passed by Superintendent of Post Office, Surendranagar Division regarding the withdrawal of the temporary status of the applicant/workman was unjustified. The applicant/workman is entitled for the temporary status from the date it was withdrawn i.e. 13.01.2011.
7. The reference is disposed of accordingly. The first party is directed to restore temporary status of the applicant/workman Manubhai V. Rajgor from the date it was withdrawn. The award shall be given effect within 60 days from the publication of this award.

P.K. CHATURVEDI, Presiding Officer

नई दिल्ली, 21 मई, 2018

का.आ. 837.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, फैक्टरी मैनेजर, राजनगर टेक्सटाइल मिल्स लिमिटेड, अहमदाबाद (गुजरात) एवं उनके कर्मचारी के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद पंचाट (संदर्भ संख्या सीजीआईटीए-33/2016) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02.04.2018 को प्राप्त हुआ था।

[सं. एल-42012/47/2016-आईआर (डी.यू.)]

राजेन्द्र जोशी, उप निदेशक

New Delhi, the 21st May, 2018

S.O. 837.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. CGITA-33/2016) of the Central Government Industrial Tribunal cum Labour Court, Ahmedabad, as shown in the Annexure, in the industrial dispute between the employers in relation to the Factory Manager, Rajnagar Textile Mills Ltd., Ahmedabad (Gujarat) and their workman, which was received by the Central Government on 02.04.2018.

[No. L-42012/47/2016-IR (DU)]

RAJENDRA JOSHI, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present: Pramod Kumar Chaturvedi,
Presiding Officer, CGIT cum Labour Court,
Ahmedabad, Dated 07th March, 2018

Reference: (CGITA) No- 33/2016

The Factory Manager,
Rajnagar Textile Mills Ltd. (A Unit of NTC),
Babupura Haripura, Asarwa,
Ahmedabad (Gujarat) – 380016

...First Party

V/s

Shri Ashok Parmar and others,
C/o Factory Manager,
Rajnagar Textiles Mills Ltd.,
Babupura Haripura, Asarwa,
Ahmedabad (Gujarat)

...Second Party

For the First Party : None

For the Second Party : None

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-42012/47/2016-IR(DU) dated 02.05.2016 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the demands of Shri Ashok Parmar and 437 Badli workers against the management of Rajnagar Textiles Mills Ltd., (A Unit of NTC), Ahmedabad for regularised in permanent service or with permanent pass and for the demand of basic wage with DA as per BIR Cotton Textile Mill are justified? If so, then what relief Shri Ashok Parmar and 437 workers are entitled to?”

1. The reference dates back to 02.05.2016. Notice Ex. 2 was sent to both the parties. Acknowledgement of notice Ex. 3 to the first party was received but neither the acknowledgement of the notice nor the notice being served, is received back for the second party. Thus the second party is also deemed served in the month of December, 2016 but despite a lapse of more than a year, neither of the parties has appeared nor filed their statement of claim or written statement as the case may be.
2. Thus it appears that the second party is not willing to prosecute the case.
3. Thus the reference is disposed of in the absence of the statement of claim of the second party with the observation as under: “the demands of Shri Ashok Parmar and 437 Badli workers against the management of Rajnagar Textiles Mills Ltd., (A Unit of NTC), Ahmedabad for regularised in permanent service or with permanent pass and for the demand of basic wage with DA as per BIR Cotton Textile Mill cannot be said to be justified.”

P.K. CHATURVEDI, Presiding Officer

नई दिल्ली, 21 मई, 2018

का.आ. 838.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, दूरसंचार जिला अभियंता, दूरसंचार विभाग, जामनगर (गुजरात) और अन्य एवं उनके कर्मचारी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद पंचाट (संदर्भ सीजीआईटीए संख्या 1092/2004) प्रकाशित करती है, जो केन्द्रीय सरकार को 02.04.2018 को प्राप्त हुआ था।

[सं. एल-40012/52/1997-आईआर (डी.यू.)]

राजेन्द्र जोशी, उप निदेशक

New Delhi, the 21st May, 2018

S.O. 838.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. CGITA No. 1092/2004) of the Central Government Industrial Tribunal cum Labour Court, Ahmedabad, as shown in the Annexure, in the industrial dispute between the employers in relation to the Telecom District Engineer, Telecom Department, Jamnagar (Gujarat) & others and their workman, which was received by the Central Government on 02.04.2018.

[No. L-40012/52/1997-IR (DU)]

RAJENDRA JOSHI, Dy. Director

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD**

Present: Pramod Kumar Chaturvedi,
Presiding Officer, CGIT cum Labour Court,
Ahmedabad,
Dated 08th March, 2018

Reference: (CGITA) No- 1092/2004

1. The Telecom District Engineer,
Telecom Department,
Jamnagar (Gujarat) – 361001

2. The Assistant Engineer,
Microwave Maintainance,
Khambalia – 361305
3. The Divisional Engineer,
Telecom Microwave Maintainance, K.R. Telephone Exchange,
Rajkot – 360001
4. The Divisional Engineer,
Telecom Microwave Maintainance,
K.R. Telephone Exchange,
Ahmedabad – 360001

...First Party

V/s

Ravidas Madhavdas Sarpadadia,
C/o Shri G.S. Uppal,
Plot No. 381,
Ward No. 2-B, Adipur,
Kutch (Gujarat) – 370205

...Second Party

For the First Party : Shri N.K. Trivedi

For the Second Party : None

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-40012/52/97-IR(DU) dated 16.04.1998 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the Telecom District Engineer, Jamnagar/ Divisional Engineer, Telecom Microwave Maintenance, Ahmedabad/Rajkot and Asstt. Engineer, Microwave Maintenance, Khambalia, in not taking on duties/discontinuance/terminating the services of Shri Ravidas Madhavdas Sarpadadia w.e.f. 02.01.1989 just, valid and legal? If not, what benefits the workman is entitled for and what directions are necessary in the matter?”

1. The reference dates back to 16.04.1998. The second party submitted the statement of claim Ex. 2 on 06.11.1999 alleging that he was appointed on 15.04.1987 as a casual labour and was terminated in 1989. He worked for more than 240 days in each and every calendar year. He was not served any notice or paying notice pay while terminating his services in the year 1989. He was terminated without any reason retaining the junior workman in the service despite having seniority list of all the workmen.
2. The first party denied all the facts in the written statement Ex. 6 alleging that this workman challenged his termination in the Central Administrative Tribunal vide OA No. 751 to 757 of 1988 along with number of workmen wherein the Central Administrative Tribunal disposed of the aforesaid petitions observing that the termination order was legal as respondents has offered compensation, therefore, respondents have paid the one month pay.
3. The second party Ravidas Madhavdas Sarpadadia submitted his affidavit Ex. 21 admitting the facts that they challenged the termination order in the Central Administrative Tribunal but refused to accept the compensation amount of Rs. 922/- sent by the first party.
4. The first party submitted the affidavit of his witness Deepak Kantilal Shah reiterating the averments made in the written statement.
5. The second party did not turn up and offered himself for cross-examination and also did not appear to cross-examine the first party witness.
6. The judgement of the Central Administrative Tribunal in aforesaid petitions OA No. 751 to 757 of 1988 has not been challenged in the higher court. Thus, it has attained the finality and cannot be adjudicated by this tribunal being the res-judicata. Hence the reference has no force and liable to be dismissed.
7. This is the award of this tribunal that the reference is disposed of as per the observations above.

P. K. CHATURVEDI, Presiding Officer

नई दिल्ली, 21 मई, 2018

का.आ. 839.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, जिला अभियंता, बीएसएनएल, पालनपुर (बीके) एवं उनके कर्मचारी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद पंचाट (संदर्भ सीजीआईटीए संख्या 1198/2004) प्रकाशित करती है, जो केन्द्रीय सरकार को 02.04.2018 को प्राप्त हुआ था।

[सं. एल-40011/35/2001-आईआर (डी.यू.)]

राजेन्द्र जोशी, उप निदेशक

New Delhi, the 21st May, 2018

S.O. 839.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. CGITA No. 1198/2004) of the Central Government Industrial Tribunal cum Labour Court, Ahmedabad, as shown in the Annexure, in the industrial dispute between the employers in relation to the District Engineer, BSNL, Palanpur (B.K.) and their workman, which was received by the Central Government on 02.04.2018.

[No. L-40011/35/2001-IR (DU)]

RAJENDRA JOSHI, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present: Pramod Kumar Chaturvedi,
Presiding Officer, CGIT cum Labour Court,
Ahmedabad, Dated 08th March, 2018

Reference: (CGITA) No- 1198/2004

The District Engineer,
BSNL, O/o The General Manager Telecom District,
District Banaskantha,
Palanpur (B.K.) – 385001

...First Party

V/s

The President, Saurashtra Employees Union,
City Shops, 3rd Floor, Opp. Jagnath Police Chowky,
Dr. Yagnik Road, Rajkot (Gujarat) – 360001

...Second Party

For the First Party : Shri N.K. Trivedi

For the Second Party : Shri B.B. Gogia

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-40011/35/2001-IR(DU) dated 21.05.2002 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the management of Telecom Department, Palanpur to discontinue the services of Shri Ajay Kumar Pal and not to give employment is justified or legal? If not, what relief the workman is entitled for and since when?”

1. The reference dates back to 21.05.2002. After receiving the notice, the workman Ajay Kumar Pal, hereinafter, referred to as “second party” submitted the statement of claim Ex. 2 alleging that he was appointed as a casual labour by the The District Engineer, BSNL, O/o The General Manager Telecom District, District Banaskantha, Palanpur, hereinafter, referred to as “first party” on 01.06.1989 and he continued to work till 30.09.1990. Again he was allowed to work from 01.07.1995 till 01.06.1998 when his services were orally terminated without following the pre-conditions of the Section 25 of the Industrial Disputes Act. He was allowed to work from 01.08.1997 on voucher basis under SDO, Telephones, Palanpur but his name was not shown in the

muster roll where he continued to work till 01.06.1998. All the details are submitted by him. On the above details, it can be said that he worked continuously more than 240 days in the last preceding 12 months prior to termination of his services w.e.f. 01.06.1989 which was illegal and void due to not following the procedure given in Section 25 F of the Industrial Disputes Act. He has further alleged that a workman junior to him has been retained in service and many of them have been regularised, thus it was violative of provisions of Section 25 G and H of the Industrial Disputes Act. He has further alleged that under the scheme of the Telecom Department, he was entitled for the temporary status and also to be appointed as regular mazdoor which was denied illegally with a malafide intention. Thus he has prayed for quashing the impugned termination order and reinstatement with back wages.

2. The first party submitted the written statement Ex. 8 stating that the demand of the second party union is false, concocted and against the provisions of law. The workman worked under The General Manager Telecom District, District Banaskantha, Palanpur during the period stated in the statement of claim. Therefore, this tribunal has no jurisdiction to adjudicate the matter. He had been working as a temporary daily wage basis from 01.07.1989 and was given work according to the requirement of department as a unskilled labour and was paid minimum wages according to Government Rules. The workman resumed duty on 01.07.1995 and left the work in August, 1995 voluntarily. Thereafter, he worked for some time in the year 1997 and 1998. He also moved to Central Administrative Tribunal (CAT) where he was directed to approach the proper forum. It is wrong to say that he was removed arbitrary and with a malafide intention.
3. All the documents referred in the statement of claim as well as in the written statement have been filed by the respective parties.
4. On the basis of the pleading, the following issues arise:
 - i. Whether the action of the management of Telecom Department, Palanpur to discontinue the services of Shri Ajay Kumar Pal and not to give employment is justified or legal?
 - ii. If not, to what relief, if any, the workman is entitled for and since when?
5. As both the issues are interrelated, therefore, are decided together.
6. **Issue No. i and ii:** The burden of prove of these aforesaid issues was on the second party workman. The workman Ajay Kumar Pal submitted his affidavit Ex. 14 reiterating the averments made in the statement of claim Ex. 2. He has not said anything contrary to what he has stated in the affidavit.
7. The first party submitted the affidavit Ex. 16 of Lakhubhai Dosjibhai Deria, The Assistant General Manager in the office of General Manager, Telecom, Palanpur, and he stated on oath that the workman was engaged as per requirement of the department on need basis as daily wager on 01.07.1989. He worked for 178 days in the year 1989, 337 days in the year 1990, 262 days in the year 1991, 277 days in the year 1992 and 56 days in the year 1993 and thereafter left the work at his own accord. In the year 1994, he did not work but he worked for 52 days in the year 1995 and left the work again at his own accord. He was engaged in the year 1996. Lakhubhai Dosjibhai Deria again stated that the workman worked for 137 days in the year 1997 and 128 days in the year 1998 and again left the job at his own accord. Thus the concerned workman did not work for more than 240 days during the tenure of his service during last 5 years. He was engaged without following due procedure. The work assigned to the workman was not of permanent nature and the said work is now being done by the labour contractor and the Central Government has imposed the ban on the engagement of casual/daily wagers. The second party workman was paid remuneration on vouchers on the basis of his attendance recorded in the muster roll. He was not entitled for any other benefits except wages. The second party workman left the work at his own accord, hence, the question of issuing notice or paying retrenchment or notice pay, did not arise. The workman was not following under the criteria of temporary status; therefore, he was not absorbed. The other casual workers who were eligible were permitted to continue and the rest were not re-engaged. This workman cannot be re-engaged as the said work now being done by the labour contractor. Hence the dispute raised is liable to be dismissed. In his cross-examination, he has stated that the workman from whom the work is taken on ACG 17 are separately registered and the salary is paid on vouchers but he has not brought those vouchers. The workman was on muster roll up to 1993, thereafter on ACG 17. The workman was working as a labour for digging the trench. He has further stated that a workman, who has worked for more than 240 days, would have the temporary status. He can produced the attendance record of the second party if available prior to 01.06.1998. The second party workman has worked for more than 240 days in some of the years but he did not work for more than 240 days in the preceding year to the date 01.06.1998. He was not given any notice or notice pay.
8. The second party has referred Devinder Singh V/s Municipal Counsel, Sanaur, 2011 Law Suit (SC) 475, wherein the apex court confirmed the order of reinstatement of the workman by the Labour Court wherein the

workman worked for more than 240 days in the calendar year preceding the termination of his service from the date w.e.f. 30.09.1996 without complying the mandatory provisions of Section 25 F of the Industrial Disputes Act. He has also referred Jasbir Singh V/s State of Haryana, Civil Appeal Number 346 of 2015 (Arising out of SLP (C) No. 1532 of 2014), wherein the apex court confirmed the award of Industrial Tribunal-cum-Labour Court reinstating the workman on the ground that the services of the workman were terminated on 31.12.1993 without complying the mandatory provisions of Section 25 F, G and H of the Industrial Disputes Act. He has further referred Deepali Gundu Surwase V/s Kranti Junior Adhyapak Mahavidyalaya and other, 2013 Law Suit (SC) 994. The said judgement relates to a case where the Head Mistress of the Vidyalaya address a letter to all the teachers to contribute Rs. 1500/- per month towards the tax liability which the appellant refused, consequently, the management issued 25 Memo to the appellant and put him under suspension. The apex court ordered reinstatement, confirming the order of the tribunal. As the facts of this judgement are different to this case, hence no applicability in the case. He has further referred an old case of the apex court Surendra Kumar Verma V/s Central Government Industrial Tribunal-cum-Labour Court, New Delhi, 1980 Law Suit (SC) 412, wherein the apex court observed that the provisions Section 25 B(2) of the Industrial Dispute Act, are plain enough and are reproduced as under:

“[**25 B. Definition of continuous service** – For the purposes of this Chapter,-

- (1) A workman shall be said to be in continuous service for a period if he is, for that period, in uninterrupted service, including service which may be interrupted on account of sickness or authorised leave or an accident or a strike which is not illegal, or a lock-out or a cessation of work which is not due to any fault on the part of the workman;
- (2) Where a workman is not in continuous service within the meaning of clause (1) for a period of one year or six months, he shall be deemed to be in continuous service under an employer-
 - (a) For a period of one year, if the workman, during a period of twelve calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer for not less than-
 - (i) One hundred and ninety days in the case of a workman employed below ground in a mine; and
 - (ii) Two hundred and forty days, in any other case;
 - (b) For a period of six month, if the workman, during a period of six calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer for not less than-
 - (i) Ninety-five days, in the case of workman employed below ground in a mine; and
 - (ii) One hundred and twenty days, in any other case.

Explanation – for the purposes of clause (2), the number of days on which a workman has actually worked under an employer shall include the days on which-

- (i) He has been laid-off under an agreement or as permitted by standing orders made under the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946), or under the act or under any other law applicable to the industrial establishment;
- (ii) He has been on leave with full wages, earned in the previous years;
- (iii) He has been absent due to temporary disablement caused by accident arising out of and in the course of his employment; and
- (iv) In the case of a female, she has been on maternity leave; so, however, that the total period of such maternity leave does not exceed twelve weeks.]”

It is further observed by the apex court that under Section 25 F, the workman should be in continuous service for not less than one year under an employer and under Section 25 B(2), even if a workman has not been in continuous service under an employer for a period of one year, he shall deemed to have been in such continuous service for a period of one year if he has actually worked under the employer for 240 days in the preceding period of 12 month. There is no stipulation that he should have been in employment or service under the employer for a whole period of 12 months. The apex court allowed all the appeals and reinstated the appellants without full back wages in all those appeals where the workmen have worked for 240 days in the period of 12 months. It is not necessary that he should have been in the service of employer for one whole year.

9. In the present case, it is an admitted fact that the second party workman worked for 178 days in the year 1989, 337 days in the year 1990, 262 days in the year 1991, 277 days in the year 1992 and 56 days in the year 1993 and thereafter left the work at his own accord. In the year 1994, he did not work. But he worked for 52 days in the year 1995 and left the work again at his own accord. He was engaged in the year 1996. He again stated that the workman worked for 137 days in the year 1997 and 128 days in the year 1998. The only issue is that he worked for more than 240 days in some of the years.

10. Though the learned counsel of the first party has referred Himanshu Kumar Vidharthi V/s State of Bihar, 1997 (76) FLR SC Page 237, wherein the apex court has observed as under:

“Admittedly, they were not appointed to the posts in accordance with the rules but were engaged on the basis of need of the work. They are temporary employees working on daily wages. Under these circumstances, their disengagement from service cannot be construed to be a retrenchment under the Industrial Disputes Act. The concept of “retrenchment”, therefore, cannot be stretched to such an extent as to cover these employees. Since they are only daily-wage employees and have no right to the posts, their disengagement is not arbitrary.”

The first party has further referred Kendriya Vidyalaya Sanghathan and Anr. V/s S.C. Sharma, (2005) LLR SC 275, wherein the apex court has observed as under:

“For dispensation of holding of an enquiry before termination of an employee, it is imperative for the employer to record a conclusion that it was not reasonably practicable to hold the enquiry proceedings even when the employee was absconding and not responding to the notices as such his termination sans enquiry will be set aside.

For entitlement of back wages on reinstatement of an employee, the initial burden lies upon the employee that he was not gainfully employed and thereafter the employer can rebut the same.

When the employee as directed to be reinstated in service with back wages by the Tribunals and High Court, he will not be entitled to back wages since he has neither pleaded nor placed any material that he was not gainfully employed.”

11. The main argument of the advocate for the first party is that the workman left the job at his own accord; therefore, he cannot take advantage of his own fault. But the first party has not submitted the attendance register/muster roll of the questioned period which may established the willingly leaving the job by the workman. The reference is of 21.05.2002 and the workman served the first party from 1989 to 1998. The workman has not disclosed in his evidence as to who the junior workers were engaged or re-engaged but it has also not been specifically denied by the first party. The workman must have attained the age of 30 years in the year 2003, now he would have attained the age of 45 years, so it cannot be said that he has lost his utility in the service.

12. It is established in the absence of the evidence by the first party that the workman was retrenched without giving notice and notice pay. Thus the reference deserves to be allowed. As the first party witness has admitted that the workmen, who served for 240 days, are granted temporary status, same shall be given in this case. Therefore, the second party workman Ajay Kumar Pal shall be reinstated in service without paying back wages on the principle of “no work no pay”. Both the issues are decided in the light of the aforesaid observations and the first party is directed to reinstate the second party workman within 60 days from the publication of this award.

13. The award is passed accordingly.

P.K. CHATURVEDI, Presiding Officer

नई दिल्ली, 21 मई, 2018

का.आ. 840.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, महाप्रबंधक (फोन), दूरसंचार विभाग, राजकोट (गुजरात) और उनके कर्मचारी और अन्य के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद पंचाट (संदर्भ (सीजीआईटीए) सं.-1018/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02.04.2018 को प्राप्त हुआ था।

[सं. एल-40012/80/1994-आईआर (डी.यू.)]

राजेन्द्र जोशी, उप निदेशक

New Delhi, the 21st May, 2018

S.O. 840.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. (CGITA) No.-1018/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad, as shown in the Annexure, in the industrial dispute between the employers in relation to the General Manager (Phones), Telecom Department, Rajkot (Gujarat) and their workman & Other, which was received by the Central Government on 02.04.2018.

[No. L-40012/80/1994-IR (DU)]

RAJENDRA JOSHI, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present: Pramod Kumar Chaturvedi,
Presiding Officer, CGIT cum Labour Court,
Ahmedabad, Dated 15th March, 2018

Reference: (CGITA) No.- 1018/2004

The General Manager (Phones),
Department of Telecom,
Behind Girnar Talkies,
Rajkot (Gujarat)

...First Party

V/s

1. Shri Popatlal Dudabhai Tank,
Baroda Pristege, Jagdishnagar,
Mohanbhai Zarkiy Building, Gala No. 2,
Surat (Gujarat)
2. The President,
Saurashtra Employees Union,
City Shops, Dr. Yagnik Road,
Opp. Jagnath Police Chowki,
Rajkot (Gujarat)

...Second Party

For the First Party : Shri H.R. Raval

For the Second Party : Adv. K.L. Kalwani

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-40012/80/94-IR(DU) dated 28.08.1996 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the management of General Manager (Phones), Department of Telecom, Behind Girnar Cinema, Rajkot – 360001, in terminating the services of Shri Popatlal D. Tank, Casual Labourer is legal and justified? If not, to what relief the workman is entitled to?”

1. The reference dates back to 28.08.1996. Both the parties submitted their statement of claim and written statement on 13.04.1998 and 29.07.1998 respectively along with number of documents. The case was listed for hearing but since then second party has been absent and has refrained to appear before the tribunal for hearing. Today on 15.03.2018, the advocate for the second party workman Mrs. K.L. Kalwani stated that the workman has not been in her contact since long.
2. Thus it appears that the second party workman is not willing to prosecute the case.
3. Thus the reference is finally disposed of in the absence of the evidence of the second party workman with the observation as under: “the action of the management of General Manager (Phones), Department of Telecom,

Behind Girnar Cinema, Rajkot – 360001, in terminating the services of Shri Popatlal D. Tank, Casual Labourer can be said to be legal and justified.”

P.K. CHATURVEDI, Presiding Officer

नई दिल्ली, 21 मई, 2018

का.आ. 841.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, महाप्रबंधक दूरसंचार विभाग, राजकोट (गुजरात) एवं उनके कर्मचारी के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद पंचाट (संदर्भ (सीजीआईटीए) संख्या-1098/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02.04.2018 को प्राप्त हुआ था।

[सं. एल-40012/21/1997-आईआर (डीयू)]

राजेन्द्र जोशी, उप निदेशक

New Delhi, the 21st May, 2018

S.O. 841.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. (CGITA) No.-1098/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad, as shown in the Annexure, in the industrial dispute between the employers in relation to the General Manager, Telecom Department, Rajkot (Gujarat) and their workman, which was received by the Central Government on 02.04.2018.

[No. L-40012/21/1997-IR (DU)]

RAJENDRA JOSHI, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present: Pramod Kumar Chaturvedi,
Presiding Officer, CGIT cum Labour Court,
Ahmedabad, Dated 08th March, 2018

Reference: (CGITA) No.- 1098/2004

The General Manager,
Telecom Department,
3rd Floor, Umesh Commercial Complex,
Near Chaudhary High School,
Rajkot (Gujarat) – 360001

...First Party

V/s

Shri Kiritkumar Bhanushankar Pandya,
Gaikwadi, 1/10, Rajkot (Gujarat) – 360001

...Second Party

For the First Party : Shri H.R. Raval

For the Second Party : Adv. K.L. Kalwani

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-40012/21/97-IR(DU) dated 13.05.1998 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the management of The General Manager, Telecom Deptt., Rajkot in terminating the services of Shri K.B. Pandya is legal and justified? If not, to what relief the workman is entitled?”

1. The reference dates back to 13.05.1998. Both the parties submitted their statement of claim and written statement along with number of documents. The case was listed for evidence of second party but the second party failed to appear for his cross examination on his affidavit Ex. 12 by which his examination chief was recorded on 24.04.2002. The second party also has been absent since last several dates for cross examination.

Today on 08.03.2018, the advocate for the second party workman Mrs. K.L. Kalwani stated that the workman has not been in her contact since long.

2. Thus it appears that the second party workman is not willing to prosecute the case.
3. Thus the reference is finally disposed of in the absence of the evidence of the second party workman with the observation as under: "the action of the management of The General Manager, Telecom Deptt., Rajkot in terminating the services of Shri K.B. Pandya can be said to be legal and justified."

P.K. CHATURVEDI, Presiding Officer

नई दिल्ली, 21 मई, 2018

का.आ. 842.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, डिवीजनल इंजीनियर, टेलीकॉम माइक्रोवेव प्रोजेक्ट, राजकोट (गुजरात) और अन्य एवं उनके कर्मचारी के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद पंचाट (संदर्भ (सीजीआईटीए) संख्या-1147/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02.04.2018 को प्राप्त हुआ था।

[सं. एल-40012/42/1998-आईआर (डीयू)]

राजेन्द्र जोशी, उप निदेशक

New Delhi, the 21st May, 2018

S.O. 842.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. (CGITA) No.-1147/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad, as shown in the Annexure, in the industrial dispute between the employers in relation to the Divisional Engineer, Telecom Microwave Project, Rajkot (Gujarat) & Other and their workman, which was received by the Central Government on 02.04.2018.

[No. L-40012/42/1998-IR (DU)]

RAJENDRA JOSHI, Dy. Director

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, AHMEDABAD

Present: Pramod Kumar Chaturvedi,
Presiding Officer, CGIT cum Labour Court,
Ahmedabad, Dated 08th March, 2018

Reference: (CGITA) No.- 1147/2004

1. The Divisional Engineer,
Telecom, Microwave Project,
Rajkot (Gujarat) – 360001
2. The Sub-Divisional Officer,
Telegraphs, Microwave Maintenance,
Jamnagar (Gujarat) – 361001

...First Party

V/s

The President,
Saurashtra Employees Union,
Umesh Commercial Complex, 2nd Floor, Office No. 213 and 214,
Near Chaudhary High School,
Rajkot (Gujarat) – 360001

...Second Party

For the First Party : Shri N.K. Trivedi

For the Second Party : Adv. K.L. Kalwani

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-40012/42/98-IR(DU) dated 30.11.1998 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the Divisional Engineer, Telecom Microwave Project, Rajkot in terminating the services of Shri Kishoregiri Vajugiri Aparnathi, Casual Labour is legal and justified? If not, to what relief the workman is entitled?”

1. The reference dates back to 30.11.1998. Both the parties submitted their statement of claim and written statement along with number of documents. The case was listed for evidence of second party but he has been absent since last several dates for submitting his evidence.
2. Today on 08.03.2018, the advocate for the second party workman Mrs. K.L. Kalwani stated that the workman has not been in her contact since long. Thus it appears that the second party workman is not willing to prosecute the case.
3. Thus the reference is finally disposed of in the absence of the evidence of the second party workman with the observation as under: “the action of the Divisional Engineer, Telecom Microwave Project, Rajkot in terminating the services of Shri Kishoregiri Vajugiri Aparnathi, Casual Labour can be said to be legal and justified.”

P.K. CHATURVEDI, Presiding Officer

नई दिल्ली, 21 मई, 2018

का.आ. 843.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, महाप्रबंधक बीएसएनएल, राजकोट (गुजरात) और अन्य एवं उनके कर्मचारी के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, अहमदाबाद पंचाट (संदर्भ (सीजीआईटीए) संख्या-107/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02.04.2018 को प्राप्त हुआ था।

[सं. एल-40012/42/2007-आईआर (डीयू)]

राजेन्द्र जोशी, उप निदेशक

New Delhi, the 21st May, 2018

S.O. 843.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. (CGITA) No.-107/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Ahmedabad, as shown in the Annexure, in the industrial dispute between the employers in relation to the General Manager, BSNL, Rajkot (Gujarat) and their workman, which was received by the Central Government on 02.04.2018.

[No. L-40012/42/2007-IR (DU)]

RAJENDRA JOSHI, Dy. Director

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
AHMEDABAD**

Present: Pramod Kumar Chaturvedi,

Presiding Officer, CGIT cum Labour Court,

Ahmedabad, Dated 15th March, 2018

Reference: (CGITA) No.- 107/2007

1. The General Manager,
Bharat Sanchar Nigam Limited,
Telecom Distt., Near Girnar Talkies,
Rajkot (Gujarat)
2. The Sub-Divisional Engineer,
Department of Telecom,
Bharat Sanchar Nigam Limited, Jasdan

...First Party

V/s

The Joint Secretary,
Saurashtra Employees Union,
City Shops, Dr. Yagnik Road,
Opp. Jagnath Polic Chowki,
Rajkot (Gujarat)

...Second Party

For the First Party : Shri H.R. Raval

For the Second Party : Adv. K.L. Kalwani

AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-40012/42/2007–IR(DU) dated 09.10.2007 referred the dispute for adjudication to the Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule:

SCHEDULE

“Whether the action of the management of Bharat Sanchar Nigam Limited in terminating the services of their workman Shri Vinod B. Kiri, w.e.f. 12.12.2005 is legal and justified? If not, to what relief the workman is entitled?”

1. The reference dates back to 09.10.2007. Both the parties submitted their statement of claim Ex. 9 and written statement Ex. 13 on 30.09.2008 and 24.04.2009 respectively along with number of documents. The case was listed for evidence of second party but since then second party has been absent and has refrained to lead evidence. Today on 15.03.2018, the advocate for the second party workman Mrs. K.L. Kalwani stated that the workman has not been in her contact since long.
2. Thus it appears that the second party workman is not willing to prosecute the case.
3. Thus the reference is finally disposed of in the absence of the evidence of the second party workman with the observation as under: “the action of the management of Bharat Sanchar Nigam Limited in terminating the services of their workman Shri Vinod B. Kiri, w.e.f. 12.12.2005 can be said to be legal and justified.”

P.K. CHATURVEDI, Presiding Officer